

MONTANA  
SCHOOL *for*  
Deaf & Blind  
CHILDREN

*giving kids the building blocks to independence*

PERSONNEL HANDBOOK

MONTANA SCHOOL FOR THE DEAF AND THE BLIND

3911 Central Avenue  
Great Falls, Montana 59405  
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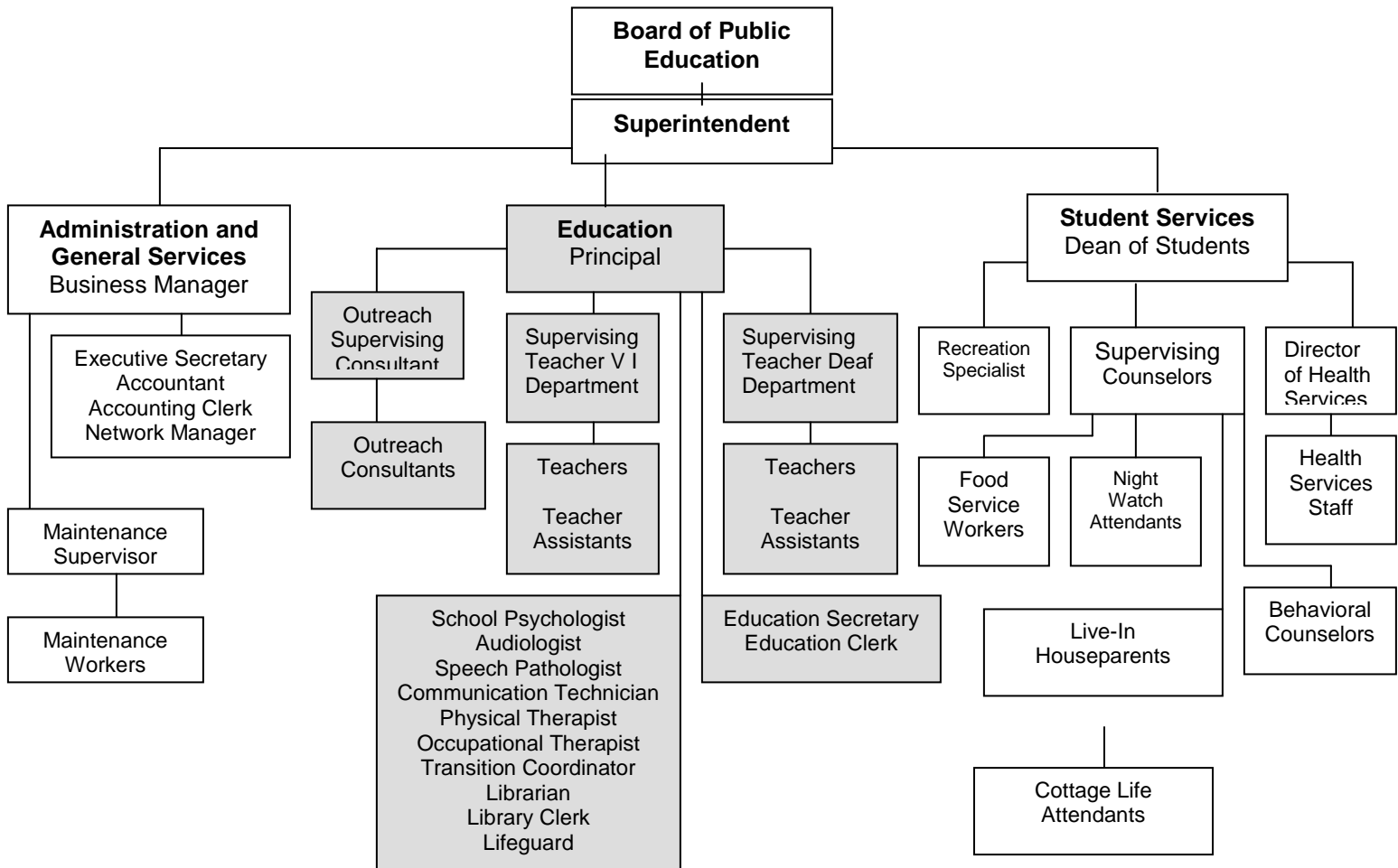
## Introduction

This handbook is intended to provide information on procedures and guidelines that aid in the implementation of the MSDB Policy Manual. This handbook addresses issues related to management of students, safety, personnel procedures, instructional and non-instructional operations, use of facilities, and community relations, which affect all program areas at the School. This handbook does not contain all of the guidelines and procedures specific to each position at the School and is not intended to replace any other handbooks, which maybe developed and utilized in specific program areas. The information in this handbook is applicable to all employees in all program areas including; Education, Student Services, General Service and Administration.

It is each employee's responsibility to read, understand and comply with all policies, procedures and guidelines contained in this handbook. Although this handbook contains much information, you may have questions or concerns that have not been addressed. Never assume that because something has been done a certain way in the past, it is the authorized way to address an issue or carry out a procedure as determined by statute, rule, or policy. When questions arise, you are directed to discuss your questions or concerns with your immediate supervisor.

# Montana School for the Deaf and the Blind

## Organization Chart



## **Role and Function, Philosophy, Vision, Mission and Goals For MSDB**

“Education, Communication and Independence for Life” - the belief statement of the Montana School for the Deaf and the Blind.

### Role and Function

The Montana School for the Deaf and Blind, established in 1893, is mandated by the Legislature of Montana to provide educational services to hearing and visually impaired children, ages 0 to 21, whose impairment is such as to preclude their making normal progress in regular public schools. The school operates under the authority of MCA 20-8-101 through 20-8-121. The State Board of Public Education is charged by statute with responsibilities for policy and governance of the school.

The role of the Montana School for the Deaf and the Blind is to provide statewide resource services for sensory impaired children. The functions of the school shall include:

- 1) Assessment, specialized educational instruction, and residential placements for deaf and blind children whose hearing or sight is so defective that they cannot be successfully taught and are unable to receive a sufficient or proper education in the public schools of the state. By use of specialized methods, materials and equipment MSDB will provide an education for the hearing impaired and visually impaired children of this state that is commensurate with the education provided to non-handicapped children in the public schools and that will enable children being served by the school to become independent and self-sustaining citizens.
- 2) Consultative services, training and support to parents of children with sensory impairments not yet enrolled in an educational program.
- 3) Upon request, consultative services, training, and technical assistance to public schools of the state where sensory impaired children are enrolled.
- 4) Information and referral services to other state agencies, organizations and individuals concerned with services to similarly impaired people so as to provide sensory impaired children with an appropriate comprehensive education.
- 5) Maintenance of a system for tracking a child identified as hearing impaired or visually impaired from the time of impairment identification through the child's exit from intervention or educational services.

### Philosophy

The philosophy of the Montana School for the Deaf and Blind is to extend to all children with sensory impairments their rightful heritage--an educational program so planned, adapted, and conducted as to provide them the education and opportunity to take their rightful place in a democratic society. Fundamentally, the purpose of education for children with sensory impairments is to attain attitudes and understanding, skills and abilities, and knowledge which make it possible for them to become self-supporting, contributing members of society.

The Montana School for the Deaf and Blind provides statewide resource services for sensory impairments to meet the psycho-socio-educational needs of children with sensory impairments. Hearing impairment and visual impairment are the most severe of all educational handicaps. Nevertheless, it is our belief that the hearing impaired child and the visually impaired child can overcome these handicaps sufficiently to compare favorably with hearing and sighted peers in intellectual, social and emotional development.

## Vision and Mission

The vision of the Montana School for the Deaf and the Blind is to promote and maintain excellent and comprehensive educational opportunities for every deaf, hard-of-hearing, blind, low vision and deaf-blind child in Montana which shall lead to the highest potential for adult life of independence and self-sufficiency; a meaningful personal, family and community life; and a useful, productive occupational life.

As part of Montana's educational system, the Montana School for the Deaf and the Blind is committed to promote and provide free and appropriate educational opportunities statewide, for children who are deaf, hard of hearing, blind, low vision and deaf-blind ages birth to twenty-one. This comprehensive education ensures these children achieve their greatest potential for independence and success.

## Program Goals and Objectives

The Montana School for the Deaf and the Blind's educational and residential programs seek to provide an opportunity for each child to develop to his or her maximum potential. The objectives for the educational program are:

- 1) To foster self-discovery, self-awareness, and self-discipline.
- 2) To help each student develop reading and writing skills through the implementation of a comprehensive literacy-based curriculum which meets the unique educational needs of sensory impaired children.
- 3) To provide fundamental career concepts and skills.
- 4) To assure each student a successful transition from school to work, post-secondary education or training through the implementation of a comprehensive curriculum that focuses on the unique skills necessary for sensory impaired children to communicate, live independently, work and be an active member of his or her community.
- 5) To help the student develop sensitivity to the needs and values of others and respect for individual and cultural differences.
- 6) To help each student strive for excellence and instill a desire to reach the limit of his or her potential.
- 7) To develop the fundamental skills which will provide a basis for lifelong learning.

Reference: INSTRUCTION 2000

## Communication Philosophy and Principles

MSDB's communication philosophy is based on (a) full access to all communication in the school environment; (b) the importance of a child's self-expression; and (c) respect for each individual's communicative needs. MSDB encourages the use of all modes of expression which result in mutual understanding, including: American Sign Language (ASL); spoken, signed or written English; speechreading; and use of residual hearing. These principles do not require the use of any one language or mode of communication at all times: instead, accessibility and appropriateness are the fundamental concerns. There are times when ASL is appropriate; there are times when a manual code of English with or without voicing may be appropriate; and there may be times when oral English may be appropriate with either no manual representation or with manual representation provided by an interpreter.

Appropriateness and accessibility are determined by individual student or colleague need, the context and function of the communication, and the needs of others who are in the communicative environment.

Other aspects of MSDB's communication philosophy include:

For students to have full access to the curriculum, (at MSDB and in the mainstream classes within the Great Falls Public Schools), the language in which it is presented must be comprehensible; that is, not only understandable on the surface, but language which enhances cognitive and educational development through its depth of meaning. Therefore, communication is not only an issue of what language is used to interact with and instruct students; the quality of what is expressed is also of major importance.

ASL is a fundamental part of everyday life and learning for deaf children and youth. Therefore, MSDB actively supports, encourages and strives to incorporate the use the ASL in the instructional process and in all other aspects of school life. is defined to include the varieties of the language of signs commonly used in deaf communities in America.

Communication and culture cannot be separated. Therefore, MSDB's communication philosophy and principles recognize and value cultural diversity and encourage cultural expression through a multicultural curriculum throughout the school environment.

MSDB recognizes and values the importance of the acquisition of English language and literacy skills for educational development and communication purposes. The acquisition of these skills is a primary educational goal.

Speech communication programs are designed to meet individual students' communication preferences, capabilities and needs. Within meaningful language, communication and cultural contexts, speech development, auditory development, instruction in speech reading, use of amplification and music appreciation may be part of a student's individualized educational program.

At MSDB, it is mandatory that visual/manual communication which is adequate for full that the participation by deaf individuals be utilized at all times when deaf persons are present, so communicative environment remains open and accessible for all students and staff.

Staff development programs which promote full access to a rich communicative environment and curriculum for all students will be provided, and it is expected that all staff members participate in such programs. The deaf community will be involved in planning of staff development programs. Professional growth and evaluation programs which include full measures of expressive and receptive proficiencies in American Sign Language (ASL) and/or sign communication and which support MSDB's communication philosophy and principles, are part of staff development.

Reference: STUDENTS 3010

### Employment Requirements for Developing Appropriate Communication Skills

It is required that all permanent employees at the Montana School for the Deaf and the Blind who work with deaf children or work for or with a fellow employee who is deaf acquire acceptable total communication skills by the end of their first year of employment. Sign language classes are offered for staff and are a requirement for all first year employees.

### Goals for Community Relations

The Board, through the leadership of the Superintendent and the assistance of the total staff, will seek to enhance MSDB's community relations with parents, public schools, the Office of Public Instruction, community partners and early intervention and other related service providers by striving to achieve the following goals:



- 1) To encourage and enhance regular and meaningful two-way communication between school and home, between school and community partners, and between school and other services providers.
- 2) To increase both the quality and quantity of parental and public participation in school affairs, activities, and programs;
- 3) To strengthen and improve relations and interactions among school administration, staff, parents, students and constituents, the Office of Public Instruction, public schools, early intervention and other service providers, and community partners;
- 4) To promote understanding, cooperation, trust and mutual support between the home, MSDB, community partners, constituents and service providers.

Reference: COMMUNITY RELATIONS 4000

### Sexual Harassment/Intimidation Policy

**1. BASIC POLICY** The Montana School for the Deaf and the Blind is committed to a positive and productive working and learning environment free from discrimination. The school prohibits sexual harassment or intimidation of its employees or students, whether committed by a co-worker, supervisor, subordinate, contractor, volunteer or student, and finds such behavior just cause for disciplinary action. The School will not tolerate such behavior between members of the same or opposite sex. The School will take prompt, effective and remedial action on complaints, grievances, and reports of sexual harassment or intimidation (including informal reports of inappropriate sexual or gender-directed conduct) which come to the attention of the administration and/or staff.

The School prohibits retaliation against any employee or student because he or she has made a report of alleged sexual harassment, or against any employee or student who has testified, assisted, or participated in the investigation of a report. Retaliation is itself a violation of federal and state regulation prohibiting discrimination and will lead to disciplinary action against the offender.

This policy applies to individuals attending any events on School property, whether or not school-sponsored, and to any school-sponsored events, regardless of location.

**2. DEFINITIONS** Sexual harassment is generally defined as unwelcome sexual advances, requests for favors and other verbal and/or visual contact of a sexual or gender-directed nature when:

- submission is made either explicitly or implicitly a term or condition of an individual's employment or education.
- submission to or rejection of that conduct or communication by an individual is used as a factor in decisions affecting that individual's employment or education; or
- that conduct or communication has the purpose or effect of substantially or unreasonably
- interfering with an individual's employment or education, or of creating an intimidating, hostile or offensive employment or educational environment.
- an "intimidating, hostile or offensive employment or educational environment" means an environment in which:
- unwelcome sexually-oriented jokes, innuendoes, obscenities, pictures/posters or

any action with sexual connotation makes a student or employee feel uncomfortable, or

- any aggressive, harassing behavior in the workplace or school that affects working or learning, whether or not sexual in connotation, is directed toward an individual based on their sex.

The following are examples of sexual harassment or intimidation:

- sexual advances which are unwanted (this may include situations which began as reciprocal attractions, but later ceased to be reciprocal).
- sexual gestures, verbal abuse, sexually-oriented jokes, innuendo or obscenities.
- displaying of sexually suggestive objects, pictures, cartoons, or posters.
- sexually suggestive letters, notes or invitations.
- employment or education benefits affected in exchange for sexual favors.
- physical conduct such as assault, attempted rape, impeding or blocking movement, or unwelcome touching.
- hazing, or daring to perform in unsafe work or learning practices, particularly directed toward students or employees in nontraditional settings.

**3. PREVENTION** It the policy of this agency to provide in-service education and training about sexual harassment and intimidation for employees and students.

Sexual harassment prevention training may be included in staff and student orientation, and students, employees, parents and caretakers may be actively involved in the development of the School's sexual harassment prevention program.

**4. REPORTING** Students or employees who believe they may have been harassed or intimidated should contact a counselor, the Title IX Coordinator, the Equal Employment Opportunity Officer, or the first level supervisor who is not involved in the alleged harassment. Persons who feel they are being harassed or intimidated should take the following steps:

- Inform the individual that his/her behavior is unwelcome, offensive or inappropriate. Do not assume or hope that the problem will go away.
- Notify a counselor, the Title IX Coordinator or an administrator right away. Early reporting assists any investigation.
- Request a copy of the School's sexual harassment policy so that reporting processes are clear.
- Keep notes. Keep a record of dates, times, places and witnesses and descriptions of each incident. Save all notes or records in a safe place.
- Complainants are permitted to have a friend or advisor present with them for moral support during any stage of the investigation of the report.

Once a report has been filed with an administrator, Title IX Coordinator or EEO Officer, a confidential and expeditious investigation shall begin following the procedures as outlined in the INVESTIGATION AND ACTION PROCEDURE listed below.

**5. CONFIDENTIALITY** A report of sexual harassment or intimidation and the investigation are to be kept in confidence, where practical, for the protection of all parties involved. The School's obligation to investigate and take corrective action may supersede an individual's right to privacy.

## **6. INVESTIGATION AND ACTION PROCEDURE**

- A. After receiving a report or grievance, the Title IX Coordinator or an individual as designated by the School administration, shall conduct an investigation and make written recommendation within thirty (30) days to the Superintendent. In determining whether alleged conduct constitutes sexual harassment, the Coordinator will consider many items including the facts of the allegation, case law, state and federal laws and regulations, the School's policy prohibiting sexual harassment and intimidation, any past behavior, any training the accused individual has received and other items as appropriate.
- B. On receipt of a recommendation from the individual or Coordinator that probable cause exists to credit the allegations of sexual harassment or intimidation, the Superintendent may take action based on the report/recommendation or the Superintendent may conduct his or her own investigation into the charges. The Superintendent may appoint an outside investigator to conduct the investigation.
- C. Such investigation must be completed within thirty (30) days of receipt by the Superintendent of the recommendation from the Coordinator.
- D. Pending such an investigation, the Superintendent or building administrator or other supervisor may take any action necessary to protect the alleged victim, or other employees or students consistent with requirements of applicable regulations and statutes, if any.
- E. Consistent with the requirements of applicable regulations or statutes, the Superintendent may take such action deemed necessary and appropriate after the
- F. Completion of the investigation.
- G. There is a recommendation for nonrenewal or employment termination or expulsion.

**7. SANCTIONS** A substantiated charge against an employee of the School may subject the employee to disciplinary action in accordance with any appropriate employee contract, up to and including discharge. A substantiated charge against a student shall subject that student to student disciplinary action including suspension or expulsion, consistent with the School's student discipline policy.

**8. NOTIFICATION** Notice of the existence of this policy, prevention plan and procedures shall be posted in prominent locations in all School buildings, including information on how to receive a copy. Notice shall also be included in student, parent and staff handbooks annually.

**9. REMEDIATION** A plan will be developed to provide student and staff victims and witnesses of harassment with counseling and other support services to help them cope with the effects of

harassment or intimidation. Names, office locations and phone numbers of persons to contact for further information or assistance on how to use this policy:

References: PERSONNEL 5012

## Internet Safety Policy - Electronic Information, Services and Networks

### 1. OVERVIEW

MSDB recognizes that as telecommunications and other new technologies shift the ways that information may be accessed, communicated and transferred, those changes may also alter instruction and student learning. MSDB generally supports access by students to rich information resources along with the development by staff of appropriate skills to analyze and evaluate such resources. In a free and democratic society, access to information is a fundamental right of citizenship.

Telecommunications, because they may lead to any publicly available file server in the world, will open classrooms to broader array of resources. Electronic information research skills are now fundamental to preparation of citizens and future employees during an Age of Information. MSDB expects that staff will blend thoughtful use of such information throughout the curriculum and that the staff will provide guidance and instruction to students in the appropriate use of such resources. MSDB requires that all such materials support and enrich the curriculum while taking into account the varied instructional needs, learning styles, abilities and developmental levels of the students.

Access to telecommunications will enable students to explore thousands of libraries, databases, and bulletin boards. MSDB believes that the benefits to students from access in the form of information resources and opportunities for collaboration exceed the disadvantages. But ultimately, parents and guardians of minors are responsible for setting and conveying the standards that their children should follow when using media and information sources. To that end, MSDB supports and respects each family's right to decide whether or not to apply for Internet access.

General school rules for behavior and communications apply to use of the network and Internet access. Network storage is school property. Users should not expect that files stored on servers and workstations will be private. Network administrators may review files and communications to maintain system integrity and to ensure that students and staff members are using the system responsibly. Please note: without exception, all information on school computers is considered School property.

Communication over networks should not be considered private. Messages may sometimes be diverted accidentally to a destination other than the one intended. Electronic mail and telecommunications are to be utilized with care to share confidential information about students or other employees, as messages are not entirely secure. All communications on the network are under the jurisdiction of Family Educational Rights and Privacy Act (FERPA) 34 C.F.R. Part 99 Subpart A. This law states that no one can share confidential information about another person without permission. Parental permission is required for sharing information and pictures of minors (under 18). Courts have ruled that old messages may be subpoenaed, and network supervisors may examine communications in order to ascertain compliance with network guidelines for acceptable use.

MSDB uses filtering software that prohibits access by students and staff to content that is defined in Section 1460 of Title 18 U.S. Code as obscene or defined in Section 2256 of Title 18 U.S. Code as child pornography or "harmful to minors". Our filter technology is up and running at all times. System administrators regularly schedule a check of the system to ensure functionality. MSDB blocks all on-line mail, chat rooms, and other forms of direct

communication from outside our network to ensure the safety and security of minors. Staff will actively supervise all Internet access.

## 2. STAFF RIGHTS AND RESPONSIBILITIES

MSDB expects that all employees will learn to use electronic mail and telecommunications tools and apply them daily in appropriate ways to the performance of tasks associated with their positions and assignments. MSDB may rely upon this medium to communicate information, and all staff will be responsible for checking and reading messages daily. Toward that end, the Board of Public Education directs the Superintendent to provide staff with training in the proper and effective use of telecommunications and electronic mail.

MSDB encourages staff to make use of telecommunications to explore educational topics, conduct research, and contact others in the educational world. MSDB anticipates that the new network will expedite the sharing of effective practices and lessons and will help staff stay on the leading edge of practice by forming partnerships with others across the nation and around the world.

MSDB expects staff to teach proper computer usage and network/Internet access to the students under their supervision. It is the responsibility of each staff member to observe and supervise his or her students' access to the Internet. The primary purpose of technology is for education. Using entertainment (non-educational programs/arcade-type programs) on the computers should only be utilized for appropriate reasons and/or at appropriate times. For students in the residential program, it is the cottage staff members' responsibility for such guidance as they do with other information sources such as television, telephones, movies, radio and other potentially offensive media.

Employees are expected to communicate in a professional manner consistent with state laws governing the behavior of school employees and with federal laws governing copyrights. The Montana State Ethics Law stipulates that state-owned computers not be used for personal or (outside agency) business reasons.

## 3. STUDENT RIGHTS AND RESPONSIBILITIES

All students will be informed by staff of their rights and responsibilities as users of the network prior to gaining access to that network, either as an individual user or as a member of a class. Students are required to obtain parental permission and attend network usage/Internet training sessions in order to access the network/Internet. Permission is not transferable and may not be shared.

Students are responsible for good behavior on the computer network just as they are in a classroom or a school hallway. Communications on the network are often public in nature. E-Mail is **not** private.

MSDB's network is provided for students to conduct research and communicate with others. Access to network services is given to students who agree to act in a considerate and responsible manner. Parent permission is required. Access is a privilege, not a right. Therefore, the system administrators will deem what is inappropriate use and their decisions are final. The system administrators may close an account at any time. The administration, faculty, and staff of MSDB may deny, revoke, or suspend specific user accounts.

## 4. RULES

The following are NOT permitted:

- a) Sharing confidential information including pictures, addresses, phone numbers, passwords

and financial account numbers

- b) Sending or displaying offensive messages or pictures
- c) Using obscene language
- d) Harassing, insulting or attacking others
- e) Using on-line e-mail, instant messaging or chat rooms
- f) Using others' passwords
- g) Trespassing in others' folders, documents, or files
- h) Using the Internet without a signed agreement form (staff) or permission (students) and using or allowing unsupervised use of the Internet
- i) Engaging in practices that threaten or disrupt the network or workstation function (e.g., breaking computers, downloading files that may introduce a virus, intentionally wasting network resources, etc.)
- j) Unauthorized access including "hacking" and other Unlawful activities
- k) Employing the network for commercial purposes
- l) Assisting a campaign for election of any person to any office or for the promotion of or opposition to any ballot proposition
- m) Promoting, supporting, or celebrating religion or religious institutions

## 5. SANCTIONS

- a) Violations may result in a loss of access.
- b) Additional disciplinary action may be determined at the building level in line with existing practice regarding inappropriate language or behavior.
- c) When applicable, law enforcement agencies will be involved.

Reference: STUDENTS 3612

## **Policies, Procedures and Guidelines For Students**

### Code of Student Behavior

The key to student success is motivated learning and positive student behavior. Good management of the classroom and cottage environments and quality relationships between the staff and students go a long way toward promoting and maintaining good behavior. At MSDB each teacher and cottage life attendant, as well as each of the administrative staff is responsible for maintaining order and discipline among students by applying the following Code of Student Behavior and implementing procedures established in the MSDB Progressive Discipline Plan.

It is the administration's responsibility to take reasonable measures protect students and school personnel from reasonably foreseeable dangerous or socially detrimental student behavior. Actions taken to control and correct undesirable student behavior should take individual circumstances into account. Concern for the safety and educational welfare of all students must be the major priority. Students who receive or who have been identified as qualifying for special education and/or 504 services, shall be disciplined in accordance with the provisions of Part B of the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Sections 1400-1485 and Section 504 of the Rehabilitation of the Handicapped Act, 29 U.S.C. Section 706.

I. When a student commits any act defined below as a Major Infraction or Habitual Behavior, it may result in discipline up to and including suspension of the student from school or a recommended for expulsion, in accordance with MSDB STUDENT 3310, 3310P Policies, Student Suspension and Expulsion and § 20-5-202, MCA Suspension and Expulsion.

II. Discipline may be imposed for conduct that occurs:

A. At any time in school buildings or on school grounds, whether or not school is in session.

B. Off school grounds at a school activity, function, event, or on the way to and from school or a school activity, function, or event or within sufficient proximity to school property that the conduct may have a direct impact upon the health, welfare, and safety of students or school employees.

C. At a location unrelated to the school or school activities if the conduct engaged in demonstrates that the student may continue to pose an on going threat to the health and safety of others.

III. Major Infractions are those behaviors which are a gross manifestation disobedience or misconduct, are disruptive to the mission, process and function of the school and/or pose an imminent threat to the health and safety of other students, school staff, other individuals who are on school property or to the offending student himself or herself. Major Infractions include, but are not limited to:

Fighting A student shall not willfully have physical contact with another student in anger and /or with the intent to injure.

Physical Abuse A student shall not use physical force or have physical contact with another student for the purpose of coercion or intimidation, or to inflict pain or injury.

Verbal Abuse A Student shall not direct harassing, vulgar, or derogatory remarks toward any person.

**Bullying, Hazing, Intimidation** A student shall not willfully or maliciously engage in conduct that would cause a reasonable person to feel terrorized, frightened, intimidated, degraded, disgraced or harassed.

**Harassment** A student shall not willfully or maliciously engage in either verbal, nonverbal or physical conduct that would cause a reasonable person to feel intimidated or harassed on the basis of their race, creed, religion, color sex, sexual orientation, or mental or physical disability. Neither will a student engage in any behavior that is unwelcome or unwanted by another or contributes to or creates a hostile or offensive school or cottage environment.

**Loss, Theft or Destruction of School Property** A student shall not deliberately take another's property without permission or deliberately take, damage or destroy school property, or another's personal property.

**Arson** A student shall not intentionally set fire, or attempt to set fire, or intentionally engage in conduct which may reasonably be foreseen to set fire to school property or the personal property of another, nor shall a student participate in or encourage another person to participate in such conduct.

**Weapons** A student shall not carry, use, possess, conceal or transmit, on school property, any weapon. A weapon is defined as, "Any item brought on to school property or into any school building or vehicle which can be used to harm or cause bodily injury or death to oneself or others." This includes any normally non-dangerous item such as a stone, utensil, board, stick, or baseball bat that are carried, possessed, or used to, in any manner, harm, bully, intimidate or threaten anyone.

Items specifically defined as weapons include, but are not limited: 1) firearms, whether loaded or unloaded including, but not limited to, pistols, rifles, zip guns; 2) shot guns, BB or pellet guns, explosives, explosive propellant, matches, any explosive or flammable materials, fireworks or firecrackers; 3) destructive devices or ammunition; 4) knives, including but not limited to, switch blades, pen, pocket or hunting knives; 5) razor blades, ice picks, dirks or other sharp instruments; 6) nunchakus, brass knuckles, pipes, Chinese stars, or billy clubs. Students found in possession of a weapon shall be immediately subject to discipline under the Federal "Gun Free Schools Act," and MSDB STUDENTS 3315, MSDB Policy on Gun Free Schools.

**Simulated Weapons** No student may carry, use, possess, conceal or transmit, on school property, a simulated weapon. This prohibition includes, but is not limited to any "toy" or nonfunctional implement which bears a substantial visual resemblance to any item defined as a weapon.

**Drugs or Alcohol** A student shall not use, possess, sell or cause or encourage any other person to use or possess prescription or narcotic drugs or narcotic/drug paraphernalia, any alcoholic beverages or any form of alcohol, or any substances represented to be a drugs or alcohol.

**Tobacco** A student shall not use or possess or cause others to use or possess tobacco products of any kind on school property.

**Gambling** A student shall not participate in or encourage or cause others to participate in games of chance for stakes or to possess gambling devices such as video games or other items that are used to promote a game of chance. Students shall not participate or encourage others to engage in Internet gambling.

**Robbery or Extortion** A student shall not take or obtain property of another person by means or reason of violence, force, threat of force, coercion, intimidation, fear, passive resistance, or any



other conduct intended to cause another to give property to the student or another against his/her will.

Gang Activity A student shall not participate in individual or group activities, wear any clothing or use language, symbols or signs that denote membership in or an affiliation with a criminal gang. A criminal gang is defined as a combination of persons organized formally or informally, which; (a) has a common or identifying symbol; (b) has particular conduct, status and customs indicative of it; and (c) has as any one of its common activities the intent to engage in criminal activity.

Disruption of School or Cottage Life A student shall not by use of violence, force, noise, coercion, threat, intimidation, fear, passive resistance, gambling, or any other conduct intentionally cause the substantial or material disruption or obstruction of any mission, process or function of the school. Neither shall a student engage in, or urge another student to engage in activities or behavior with the purpose of disrupting or obstructing the mission, process or function of the school.

Truancy A student shall not willfully be absent from class or school without proper authorization.

Defiance A student shall not willfully refuse to obey a direct request or order given by the adult in charge.

Intimate Sexual Behavior A student shall not engage in intimate sexual behavior, including but not limited to intimate fondling, petting, or sexual intercourse while on school property or while at a school activity, function, event or on the way to or from a school activity, function, or event.

Violation of the Law A student who violates any state or federal law in a school building or on school property, at a school sponsored activity, function or event, or on the way to or from school or a school activity, function or event, will be reported to the proper law enforcement agency. The student will be subject to the Level 2 of the Progressive Discipline Plan procedures whether or not a criminal citation, arrest, prosecution or conviction results from the violation.

IV. Habitual Behavior. A student shall not willfully repeat a violation of established classroom/cottage rules or behavior management programs. If, in dealing with repeat violations, a teacher or cottage life attendant has exhausted established consequences or management strategies, the student will be considered a habitual offender and a Pupil Action Report will be completed by the teacher/cottage life attendant and forwarded to the principal or dean of students.

V. All violations of the Code of Student Behavior will be addressed through the procedure outlined in STUDENT Policy 3300, Progressive Discipline Plan. All recommendations for disciplinary action will come from the Student Support Team and all action taken will be approved by the MSDB administration.

A. When it is determined by the administration that the physical actions or behavior of a student poses a clear and present danger to him/herself or other persons or property, the student may be removed from the school immediately, subject to the following conditions:

- 1) The student's parent or guardian will be contacted as soon as reasonably possible and will be notified of the reason for the removal.
- 2) The student will be given an explanation of the reason for his/her removal.

- 3) The student will be afforded an opportunity to explain his/her conduct.
- 4) A recommendation for suspension or expulsion of the student will be initiated immediately.
- 5) A hearing will be conducted as soon as practicable thereafter. In no case may a student be suspended from school for more than 10 days during a given school year without the school's compliance with MSDB STUDENT Policy 3311, Student Suspension and Expulsion.

References: STUDENTS 3310

### PROGRESSIVE DISCIPLINE PLAN

MSDB has established the following *Progressive Discipline Plan* for dealing with minor and major infractions which occur during the school day and in the cottage during the evening and on weekends.

Minor infractions include any violation of classroom/cottage rules or behavior programs. These behaviors typically include noncompliance, lack of cooperation, disrespect and use of inappropriate language, and unsafe behavior or actions. Specifically, behavior which constitutes a minor infraction includes, but is not limited to: tardiness, lack of preparation, failure to complete assignments or complete them on time, pushing, wrestling, running, name calling, swearing, improper use of equipment, acting without permission, taking or hiding things that do not belong to them, not caring properly for their own possessions, and failure to comply with directions. These behaviors interfere with the rights of others to live and work in a productive and harmonious classroom or cottage environment.

It is the teacher / cottage life attendant's responsibility to see that effective behavior programs are established and that positive working relationships exist between themselves and the students and among the students they are assigned to teach and/or supervise.

The students are expected, at all times, to participate in behavior programs and cooperate with rules that have been established. When behavior programs or rules are violated, students are expected to accept the established consequences and work cooperatively with teachers/cottage life attendants and other students to improve their behavior. The following procedure will be used to address minor infractions of established school-wide rules for the classroom and cottage.

#### IN THE CLASSROOM / COTTAGE

1. Teacher / Cottage Life Attendant establishes classroom/cottage rules and/or behavior management program.
2. Rules and consequences are posted.
3. Teacher / Cottage Life Attendant implements consequences and/or behavior management strategies to help the student conform with the rules.

#### OUT OF THE CLASSROOM / COTTAGE

1. Teacher / Cottage Life Attendant addresses student who is misbehaving.
2. Warning given and a Student Incident Report, 3300F, is given to the student and a copy is sent to the principal or dean of students.
3. Upon receiving three Student Incident Reports for the same or similar misbehavior, student is required to attend a conference with the principal, dean of students, or a designee.

4. Upon violating the same or similar rule three times or when the teacher/cottage life attendant has established management strategies, A Student Incident Report, 3300F, is completed and the student is required to attend a conference with the principal, dean of students or a designee.
4. The principal, dean of students or designee returns a copy of the Student Incident Report to the referring teacher or cottage life attendant and the parent noting the action that was taken and any recommendations for future action on the part of the staff person.
5. The principal, dean of students or designee returns a copy of Student Incident Report to the referring teacher or cottage life attendant and the parent(s) noting the action that was taken and any recommendations for future action on the part of the staff person.

### **SCHOOL WIDE RULES**

MSDB has a campus wide behavior program that emphasizes safety, responsibility and respect in accordance with our progressive discipline policy.

1. Students keep themselves and others safe at all times.  
This means:
  - Keep your hands, feet and objects to yourself.
  - Wear helmets when riding bikes or skateboards.
  - No running or horseplay.This is NOT:
  - Pushing, hitting, poking, touching or fighting with others.
  - “Rough-housing”, throwing objects or horseplay.
  - Not having items like cigarette lighters, toy guns or firecrackers.
2. Students are respectful to other students and staff at all times.  
This means:
  - Use appropriate language and have appropriate conversations.
  - Treat each other in a kind manner.
  - Respectfully follow directions from **ALL** staff.This is NOT:
  - Swearing or talking “dirty”.
  - Touching others inappropriately.
  - Being rude, name calling or mean teasing.
  - Arguing with staff or teachers.
3. Students are responsible for their own behaviors.  
This means:
  - Follow all school rules.
  - Let others know your needs appropriately.
  - Accept consequences for your behavior gracefully.
  - Have your materials ready and complete your assignments on time.
  - Keep your room clean in the cottage and complete cottage chores.
  - Be a good sport during games and activities.This is NOT:
  - Intentionally disobeying school rules.
  - Yelling or becoming angry when you don’t get your own way.
  - Blaming others for your behavior.

- Being unprepared for class or not finishing your homework

Sequence of Consequences for rule violations:

School	Cottage
1. Warning.	Warning.
2. Removal from group.	Removal from group.
3. Detention.	"Cottage Detention" – 30 minute delay from Activity Room/Game Room, etc.
4. Detention with call to parents.	"Cottage Detention" with call to parents.
5. Detention with administrator conference AND parent call.	"Cottage Detention" with administrator conference AND parent call.
6. ISS	"Stuck"
7. OSS	Sent home

When detention is given, an incident report form and a Stop and Think letter are written. If the student received the letter at school, the student must take the letter to the cottage or home to be signed. After it is signed, the student should take the letter back to school. If the student received the letter at the cottage, they must take it to the school psychologist. to sign and then return to the cottage. The incident report form is given to the Principal or Dean of Students.

Reference: STUDENT 3300

### DEFINITIONS

DETENTION is defined as a period of time beyond regular school hours, or over the lunch break, during which a student remains in the school building for one of three reasons:

1. Failure to complete class work on time.
2. Inability to conduct himself/herself in a manner conducive to the educational setting.
3. Tardiness.

Length of detention for the first two reasons will be determined by classroom teacher, and if applicable, the principal or supervising teacher according to the seriousness of the offense.

IN-SCHOOL SUSPENSION (ISS) is defined as that time a student is formally removed from direct participation in school day activities and is required to complete his or her school day activities in an alternative area away from the regular classroom. A student may be placed in in-school suspension status as a result of disciplinary action. In-school suspension can be for a maximum of 5 days. Students on in-school suspension status will follow these rules:

1. The student must remain in the designated areas at all times and is not allowed to use the IMC.
2. Teachers will bring class work to the student and collect the work from the area on a daily basis.
3. Failure to complete class assignments will result in further disciplinary action.

CONFINEMENT TO ROOM is defined as the confinement of a residential student to his/her room except to attend classes or attend meals. Any student confined to his/her room will receive some type of on-going intervention strategy. The length of time being confined to his/her room shall not exceed five (5) days.

CAMPUSED is defined as confinement of a student to the MSDB campus for an infraction of a rule. A student who has been "campused" shall not be permitted to leave the school grounds until the punishment is finished. Any student being campused will receive some type of on-going intervention strategy. The length of being campused shall not exceed five (5) days.

**OUT-OF-SCHOOL SUSPENSION (OSS)** is defined as a short term guidance or disciplinary placement of the student at home with his or her parent or guardian. Suspension will not exceed 10 consecutive days or a series of suspensions which does not constitute a significant change in placement.

For those circumstances or conditions where a student is to be suspended, the superintendent will use the following procedures:

1. Call together an appropriate committee to examine the circumstances and reasons for action of suspension.
2. Examine all other alternatives.
3. Communicate and discuss the matter with the parents or guardian.

### **EXPULSION**

Expulsion is defined as removal of the student from the regular school program at the location where the violation occurred. Expulsion or permanent exclusion is solely the direct responsibility of the Board of Public Education.

1. Expulsion will be used only when it is evident that there is little or no possibility of the pupil's ability to benefit from a continued school experience and that his presence would constitute a hazard to the school program. Expulsion or permanent exclusion is solely the direct responsibility of the Board of Public Education.
2. The parents or guardians shall be notified in writing of their opportunity to appear before the Board of Public Education prior to any action of expulsion.
3. Upon completion of a Manifest Determination, an IEP meeting will be held and the team will determine continued educational services for a student who has been expelled.

Reference: STUDENT 3300, 3310, 3311, 3315; 20-4-302, MCA; ARM 10.16.2711; PL 101-476; IDEA 20 USC Sec 1400-1485

### **Sample Stop and Think Letter**

#### **Stop and Think!**

Teacher/Staff:

Date:

Dear Parent/Guardian/Cottage Counselor,

Today I had some difficulty making Good Choices. Below is a description of what happened. Please take the time to discuss this incident with me and help me to come up with a positive solution that I can use to make Good Choices in the future. I will return this letter to the staff person or teacher so they can see what solutions we developed. Thank you for your help.

Sincerely,  
Student Signature:

**Incident Details** (Cut and paste from incident report):  
**Solution/Comments:**

Parent/Guardian/Cottage Counselor Signature:

When a student has been referred to the principal or dean of students on the third Student Incident Report, the student may be considered by the administration to be a habitual offender and all further action will follow the procedures established for Level 2 Discipline.

Major Infractions are those behaviors which are a gross manifestation of disobedience or misconduct, are disruptive to the mission, process and function of the school, or which pose an imminent threat to the health and safety of other students, school staff, other individuals who

are on school property or to the offending student him or herself. Major Infractions include, but are not limited to, violations of STUDENTS Policy 3310 or the Code of Student Behavior:

Whether occurring inside or outside of the classroom/cottage, all behaviors constituting a major infraction of MSDB STUDENT Policy 3310, Code of Student Behavior, are to be addressed by the following procedure:

### **Upon First Referral of a Major Infraction**

1. The principal, dean of students or designee will immediately be contacted by the teacher or cottage life attendant and a decision will be made whether to hold the student in the classroom or cottage or to send the student to the office.
2. The teacher or cottage life attendant will complete and forwards to the principal or dean of students, as well as all members of the Student Support Team, a Student Incident Report as soon as is reasonably possible, but not later than the end of the day.
3. The principal, dean of students or designee will confer with the student as soon as is reasonably possible, but not later than 24 hours after the infraction has occurred.
4. After considering the initial report of the teacher or cottage life attendant, the principal or dean of students may:
  - a) reprimand the student and return the student to class or the cottage with or without conditions, or
  - b) hold the student in "In School Suspension" (ISS) or "In Cottage Suspension" (ICS) for up to 24 hours and then return the student to class or the cottage with or without conditions.
5. The principal or dean of students will return a copy of the Student Incident Report to the referring teacher or cottage life attendant and the parent(s) noting the action that was taken and any recommendations for future action on the part of the staff person.

### **Upon Second Referral or at the Discretion of the Administration Upon First Referral**

1. The student will immediately be sent to the principal or dean of students and will be placed in ISS or ICS until a team meeting can be held to discuss the infraction, a period of not more than 24 hours.
2. The teacher or cottage life attendant will complete and forward a Student Incident Report to the principal or dean of students, and all members of the Student Support Team, as soon as is reasonably possible, but not later than the end of the day.
3. The Student Support Team, consisting of all available staff who have regular contact with the student, and the principal, dean of students or a designee, and the school psychologist, will meet as soon as possible after the incident to discuss information from the Student Incident Report, relevant behavioral data, antecedents, and patterns of behavior, and to develop strategies to help the student improve his/her behavior and return to the classroom and/or cottage environment as quickly as possible. The student support Team will recommend appropriate disciplinary action, which may include, but is not limited to:
  - a) Severe reprimand
  - b) Parent conference
  - c) Referral to counseling
  - d) Additional ISS or ICS
  - e) Suspension for extra curricular activities

- f) Suspension from school
- g) Conducting an IEP meeting
- h) Conducting a functional behavior assessment
- i) Developing and implementing a behavior plan

4. Disposition of any disciplinary action shall be the responsibility of the administration.

In all cases involving habitual behavior or Major Infractions of the Code of Student Behavior, the student's age, maturity level, and emotional state must be given due consideration. Also, in all cases where "suspension" is to be considered, a Student Support Team consisting of the appropriate staff members may be employed. Compliance with MSDB STUDENT Policy 3311, Student Suspension and Expulsion will be sustained.

If a student commits an illegal act, MSDB is required to call the Great Falls Police Department to conduct a criminal investigation. If the infraction constitutes a violation of law, the Student Incident Report will be used as a basis for making a report to the proper law enforcement agency.

In compliance with the Individuals with Disabilities Education Act (IDEA), 20 U.S.C. Sections 1400-1485, Section 504 of the Rehabilitation of the Handicapped Act, 29 U.S.C. Section 706 and 20-5-202, MCA Suspension and Expulsion, if a student's behavior poses a danger to him/herself or others, the student may be reevaluated, and an IEP meeting held to determine the student's present needs and the appropriate program placement necessary to meet those needs.

Reference: STUDENT 3310

### Student Dress

Appropriate dress and grooming for the school setting are expected of students. A student and his/her parent or legal guardian determine a student's pattern of personal appearance. Personal appearance includes dress, grooming and personal hygiene. Personal appearance of a student shall be respected provided it does not interfere with the health or safety of the student, or of others, and does not materially disrupt the education process as determined by the principal, dean of students or his/her designee.

Reference: STUDENT 3224

### Searches and Seizure

The following procedure shall apply to any searches and the seizure of any property by school personnel:

1. The Superintendent, Principal, Dean of Students or authorized designee shall be authorized to conduct any searches or to seize property on or near the MSDB campus, as further provided in this procedure.
2. If the authorized administrator or designee has reasonable suspicion to believe that any locker, car, or other container of any kind on school or cottage premises contains any item or substance which constitutes an imminent danger to the health and safety of any person or to the property of any person or MSDB, the administrator or designee is authorized to conduct a search of any car or container and to seize any such item or substance.

Reference: STUDENT 3231

### **NETWORK ACCESS**

Students have access to computers in order to complete homework assignments, communicate via e-mail, or research information via the Internet. Students can only gain access to computers, Email and the Internet through signed permission from their parent(s) and/or guardian(s). Students are also required to sign a student technology contract that lists rules and consequences. If a student breaks the technology contract, he/she will be suspended from the use of the Internet and Email (possibly computers) for nine (9) weeks for the first offense. At the second offense, the student will be suspended from Internet and Email use for the remainder of the school year. Students who are suspended, and email family members on a regular basis, may be given a short period of time to access email services in order to send/receive electronic mail from family members.

#### **Technology rules:**

- Expect supervision.
- Keep your password private. Keep personal information private (not tell my name, address, phone number, etc. online).
- Don't be nosey (Don't look in other's folders/documents and don't try to figure out others' passwords. No "hacking".)
- Don't use another person's password. If you learn their password, report it so the password can be changed.
- Don't download and/or install any programs.
- Don't search for or go to inappropriate web sites. Report any accidental hits on inappropriate web sites to an adult and to the Network Manager.
- Don't give your email address out on the Internet without permission (do not sign up for things or have things emailed to you).
- Don't use online email (like Yahoo mail, Hotmail, MSN mail, AOL mail, etc.).
- Don't go into "chat rooms" without teacher permission.
- Don't use instant messaging programs (like MSN, AOL, etc.).
- Don't use bad language, insult, bother, or threaten others on email.
- Don't forward jokes, pictures, and other things to many people at one time and don't send mail to "students" or "staff" without an adult's permission.
- Don't damage technology equipment.
- Don't use technology in an illegal manner.

Reference: STUDENT 3612

### **TELEPHONE USAGE**

Students are welcome to call home during non-class times. Permission by an administrator is needed to make a call during class time. A TTY is available to use at the Education Secretary's desk. The students may access the Montana Relay as necessary. Students should remember that the campus telephones are primarily "business lines" and keep their calls as short as possible.

#### **Cell Phones and Electronic Signaling Devices:**

Student possession and use of cellular phones, pagers, and other electronic signaling devices or calling devices on school grounds during the instructional day is a privilege which shall be permitted only with the permission of the Superintendent, Principal, Dean of Students or designee. Permission must be granted to the student each time he or she is to use a cell phone, pager, electronic signaling device or calling device during school hours. At no time shall any student operate any cellular phone or other electronic device with video capabilities (i.e.: camera phone, video camera) in any locker room, bathroom, or other location where it would violate the privacy right of another person, or, interferes with classroom instruction and school business. Unauthorized use will result in confiscation of the device by school officials, including classroom teachers, and may result in disciplinary action. Confiscated devices may be returned, at the discretion of the administration, to the parent or guardian of the student or to the student.



**Montana School for the Deaf and the Blind  
Student Incident Report**

**Instructions:**

1. Complete Section I fully.
2. Copy and Past **Incident Details** section to the appropriate section on page 3 ("Stop and Think" letter).
3. Print all 3 pages (**DO NOT** send via email, this is a confidentiality issue!).
4. Sign bottom of page 1.
5. Have student sign page 3 ("Stop and Think1" letter).
6. Give page 3 to student to have signed and returned. (Note: If more than 1 student is involved, multiple copies of page 3 can be made.)
7. Staple pages 1 and 2 together and give to Bill Davis (school) or Jim Kelly (cottage).

**Section I**

<b>Student(s) involved:</b>	<b>Date of Report:</b>
<b>Staff involved:</b>	<b>Date of Incident:</b>
	<b>Time of Incident:</b>

**Incident Details** (Copy and paste to "Stop and Think!" letter)

**Where did the incident occur:**

**Description of Student Behavior – What happened? (Please be specific and objective):**

**What interventions were attempted and what was the Student's response:**

**What was the final outcome (i.e. detention, sent to office, etc.):**

**Do you feel that further intervention is necessary?** Yes \_\_\_\_ No \_\_\_\_

**Name of staff making report:**

**Signature of staff making report:**

**Section II****(TO BE COMPLETED BY DEAN OF STUDENTS OR PRINCIPAL ONLY!!)****Determination of incident severity:****MINOR INFRACTION (Progressive Discipline Plan – Level I)**

	Failure to follow directions		Name Calling/Teasing
	Disrespect/Lack of Cooperation		Failure to Perform Assignments/Duties
	Failure to Obey Safety Rules		Swearing/Inappropriate Language
	Wrestling/Pushing (minor)		Taking Things Without Permission/Stealing
	Failure to Use Proper Sign Out Procedures		Out of Assigned Areas w/o Permission
	Tardiness		Other (Describe):

**MAJOR INFRACTION – To be accompanied by an IMMEDIATE verbal report to the office staff****(Progressive Discipline Plan – Level 2)**

	Habitual Behavior		Fighting
	Physical Abuse		Verbal Abuse
	Bullying, Hazing, Intimidation, Threatening		Harassment (non-sexual)
	Theft, Loss, Arson or Destruction of Property Belonging to the School or Other Person		Possession/Use of a Weapon or Simulated Weapon
	Possession of Drugs, Alcohol or tobacco		Defiance (major)
	Robbery or Extortion		Suicidal Comments
	Sexual Behavior/Sexual Harassment <b>(report to Title IX Coordinator)</b>		Other (Describe):

**Parents contacted? Yes \_\_\_\_ No \_\_\_\_****(If Yes): Date: \_\_\_\_\_ Time: \_\_\_\_\_****Summary of contact:****Administrative action taken: (detach below and return to reporting staff if needed)**

RE: Incident report from date: \_\_\_\_\_

Dear \_\_\_\_\_:

Administrator Comments:

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### Reporting of Abused and Neglected Children

An MSDB employee who has reason to suspect that a student may be an abused or neglected child shall report such a case to the Montana Department of Family Services by calling 1-866-820-5437. The employee shall immediately notify the Superintendent, Principal or Dean of students that a report has been made and will be asked to complete MSDB form 5232f, Report of Suspected Child Abuse or Neglect. An employee does not discharge the obligation to personally report by notifying the Superintendent, principal or dean of students.

Any MSDB employee who fails to report a suspected case of abuse or neglect to the Department of Family Services, or who prevents another person from doing so, may be civilly liable for the damages proximately caused by such failure or prevention, and is guilty of a misdemeanor. The employee will also be subject to disciplinary action, up to and including termination.

In the event a student over the age of eighteen years reports a home condition that may require protective care, the student should be helped to contact a law enforcement officer for advice, and should be informed that the she/he may go in person to the Cascade County Department of Public Health and Human Services, to request assistance.

Reference: PERSONNEL 5232

MONTANA SCHOOL FOR THE DEAF AND THE BLIND  
REPORT OF SUSPECTED ABUSE OR NEGLECT

*Original to: Department of Family Services*

*Copies to: Superintendent / Principal or Dean of Students*

From: \_\_\_\_\_ Title: \_\_\_\_\_

*The above information does not have to be disclosed on this form*

School: \_\_\_\_\_ Phone: \_\_\_\_\_

Persons contacted: Superintendent    Principal    Dean of Student    Teacher    School Nurse    Other

Name of Minor: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Date of Report: \_\_\_\_\_ Student's Attendance Pattern: \_\_\_\_\_

Father: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Mother: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Guardian/ Step-Parent: \_\_\_\_\_

Address: \_\_\_\_\_ Phone: \_\_\_\_\_

Any suspicion of injury/neglect to other family members: \_\_\_\_\_

Nature and extent of the child's injuries, including any evidence of previous injuries, and any other information which may be helpful in showing abuse or neglect, including all acts which lead you to believe the child has been abused or neglected: \_\_\_\_\_

Previous action taken, if any: \_\_\_\_\_

Name of Social Worker or Intake Worker taking the report: \_\_\_\_\_

Follow-up meeting or notes: \_\_\_\_\_

### Behavioral Symptoms of Sexual Molestation

The child cries a lot and seems emotionally upset. Often these symptoms appear suddenly and for no apparent reason.

The child experiences bedwetting or fecal soiling even though he or she has been successfully toilet trained.

The child develops behaviors associated with precocious sexuality such as excessive masturbation, preoccupation with sex and sexual signs, sexual play with peers, and excessive use of explicit sexual language.

The child starts crying when diapers or clothes are changed.

Anxiety symptoms manifest, for example, nightmares, fear of the dark, insomnia, refusal to sleep alone, frequent bathing, and phobias.

The child becomes sullen or depressed.

Marked changes in behavior occur, such as a serious decline in the quality of school work, the sudden onset of agitation or hyperactivity, sullenness, depression, or excessive aggressiveness.

The child refuses to shower with a group or change clothes for gym class in front of other children, or show other signs of feeling ashamed of his or her body.

The child suddenly manifests fear, avoidance behaviors, or dislike of a caretaker, or of another child with whom he or she was previously friendly.

The child displays general characteristics of posttraumatic stress disorder.

If a teenager, the child becomes involved in substance abuse.

The child displays seductive behavior.

The child experiences sleep disturbances.

The child displays acting-out behaviors such as running away, withdrawal, and clinging.

### Physical symptoms

The child manifests hypochondria involving symptoms such as headaches, stomach pains, or psychosomatic complaints that do not make medical sense.

The child walks “funny” or has difficulty walking or is in pain when sitting or walking.

The child experiences itching and scratching of the genital or rectal area.

Rectal or vaginal bleeding or evidence of infection or swelling of the rectum or vagina is present.

Bruise or lacerations appear that the child cannot explain.

The child has torn, stained, or bloody underclothing.

### Emergency Illness/Accidents

In the event of injury or illness, the Board of Public Education recognizes that MSDB is responsible for providing first aid or emergency treatment, notifying the parent or guardian and in serious instances, summoning a doctor and/or arranging for hospitalization. In the case of day students, further medical attention is the responsibility of the parent or guardian. In the case of residential students, aid, care, communication with parents and monitoring of health care services will be provided by the staff of the health services program.

All accidents that occur on school property or during school activities should be reported to the principal and/or dean of student's office.

The Director of Health Services will develop uniform procedures for giving first aid and delegate necessary authority for arranging for medical attention and/or hospitalization, notifying parents, and officially reporting accidents. These procedures will be posted in the schools and the staff will be informed of them.

The Board encourages its faculty and staff to become trained in first aid. The treatment of minor injuries or administering of medicine will only be performed by licensed health services staff and only when permission has been granted by the parent or guardian.

In the event a child is injured in school, first aid will be administered by the education or cottage staff until licensed health services staff reach the scene. If a child becomes acutely ill or is seriously injured, the school will inform the parents/guardian, who will make the decision whether to pick up the child at the school or meet the child at a health care facility when it is feasible for the parent to be in attendance. If the school is unable to reach the parents or if they choose to meet the child at the health care facility, the child may be transported by school personnel or by ambulance at the discretion of the director of health services. If the school is unable to reach the parents, an attempt will be made to contact the child's personal physician as designated on the student's record.

Reference: STUDENTS 3415

### Guidelines for Staff Providing Medical Intervention to Students

All health issues concerning MSDB students are to be referred to the Health Services. Regardless of personnel training; only the Health Services staff is qualified to examine, assess, or treat students while in attendance at MSDB. However, it is every staff member's responsibility to perform any heroic (life sustaining) technique to the best of his or her ability until medical staff or paramedics arrive. Health Services staff are responsible for calling for emergency medical services. If Health Services staff cannot be reached in the case of a medical emergency, staff is directed to contact the program supervisor who will call for emergency medical services and the Health Services staff is to be contacted for assistance as soon as possible.

In the case of a medical emergency staff are to provide assistance only under the direction of infirmary staff.

### Procedure for Reporting Accidents/Injuries

In all cases where an accident has occurred and an injury of any type is incurred, the following procedures are to be followed:

1. Report the accident to the infirmary, and secure medical assistance if necessary.
2. A written "Accident/Injury Report – 3415F" should be completed by the following:

- a. The staff member(s) that witnessed the accident or were the first on the scene.
  - b. Other witnesses.
  - c. The Director of Health Services or other nurse on duty to whom the accident was reported.
3. The written report must be submitted immediately or as soon as reasonably possible to the program supervisor where the illness or accident occurred:
  - a. Principal
  - b. Dean of Students

When an accident occurs and one or more of these individuals are not on duty, the report should be left in their mailbox for immediate attention the next day.

4. The Dean of Students and/or the Principal are to be informed of all serious injuries regardless of the time, day or night.
5. The Dean of Students and the Principal are to be contacted whenever a child is hospitalized regardless of the time, day or night.

Reference: STUDENTS 3415P

Montana School for the Deaf and the Blind  
Accident – Injury Report

To be completed by adult responsible for student at the time of injury or the injured individual

Injured person: \_\_\_\_\_ Date: \_\_\_\_\_

Location of Accident: \_\_\_\_\_ Time of accident: \_\_\_\_\_:\_\_\_\_\_ PM or AM

Details of Accident: (write on back of form if necessary)

Please include possible area of injury for nurse to observe. For example: "Student involved in altercation with no visible signs of injury. Student was observed (or reported) being punched in the left bicep".

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Person completing form: \_\_\_\_\_ Date: \_\_\_\_\_

↓ To be completed by Health Services Staff Only ↓

Details of Injury:

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Vital signs: \_\_\_\_\_ Last Tetanus: \_\_\_\_\_

Treatment Administered:

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Parent/guardian notified: ☐ Yes ☐ No If no, why? \_\_\_\_\_

Who was notified: \_\_\_\_\_

When? \_\_\_\_\_:\_\_\_\_\_ PM or AM

By whom? \_\_\_\_\_

How? \_\_\_\_\_  
\_\_\_\_\_

Response of person notified:

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Disposition of person after treatment? \_\_\_\_\_ Follow-up required? Yes No

Comments:

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Signature of Nurse completing form: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Director of Health Services: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Principal: \_\_\_\_\_ Date: \_\_\_\_\_

Signature of Dean of Students \_\_\_\_\_ Date: \_\_\_\_\_



### Referral of Students to the Infirmary

When a staff member has a concern for the health of a student, he/she must refer this student to the Health Services to determine what that child's medical need may be. The procedure for referring a student to the Health Services is as follows:

#### Students in the Deaf and Hard of Hearing Education Department:

- 1) The teacher has a concern regarding the students' physical well being or the student is complaining of an illness.
- 2) The teacher will notify the education secretary.
- 3) The secretary will notify the Health Services department to see if the student can be seen.
- 4) Jan Nelson will notify the teacher and instruct the teacher to either send the student or wait. The teacher will send the student to Jan Nelson for a pass to the infirmary. The teacher should also fill out an Accident/Injury report if applicable.
- 5) The student shall go to the Health Services and upon arrival, the following may take place after examination of the student:
  - a) Return the student back to class if the concern is not significant (a note or phone call from the Health Services will describe the outcome of the examination).
  - b) Notify the parent if the student will need some kind of care by the Health Services department or if a day student may need to be picked up.
  - c) The student will be admitted to the Health Services for care if they are a residential student and/or the parent is unable to pick up the child within a short time.
  - d) The Health Services staff will notify Jan Nelson of the outcome of the referral.

#### Students in the Blind and Visually Impaired Education Department:

- 1) The teacher has a concern regarding the students' physical well being or the student is complaining of an illness.
- 2) The teacher will contact the Health Services to see if a student can be seen.
- 3) The student shall go to the Health Services (the teacher should fill out an Accident/Injury report if applicable) and upon arrival, the following may take place after examination of the student:
  - a) Return the student back to class if the concern is not significant (a note or phone call from the Health Services will describe the outcome of the examination).
  - b) Notify the parent if the student will need some kind of care by the Health Services department or if a day student may need to be picked up.
  - c) The student will be admitted to the Health Services for care if they are a residential student and/or the parent is unable to pick up the child within a short time.
  - d) The Health Services staff will notify the teacher of the outcome of the referral.

#### Students in the Cottages

- 1) The cottage life attendant has a concern regarding the students' physical well being or the student is complaining of an illness.
- 2) The cottage life attendant will contact the Health Services to see if a student can be seen.

- 3) The student shall go to the Health Services (the cottage life attendant should fill out an Accident/Injury report if applicable) and upon arrival, the following may take place after examination of the student:
  - a) Return the student back to the cottage if the concern is not significant (a note or phone call from the Health Services will describe the outcome of the examination).
  - b) Notify the parent if the student will need some kind of care by the Health Services department or if a day student may need to be picked up.
  - c) The student will be admitted to the Health Services for care if they are a residential student and/or the parent is unable to pick up the child within a short time.
  - d) The Health Services staff will notify the cottage life attendant of the outcome of the referral.

*\*If a staff person has been asked by the students' parents to call when the student is ill the staff member may comply with their request. However, this communication will be in addition to the communication provided to the parents by the Health Services staff. The communication by the Health Services staff to the parents will be documented in the student's medical file.*

Reference STUDENTS 3416

#### Release /Removal of Students from the School or Cottages

The Board recognizes its responsibility for the proper care of students at all times and in all places at MSDB. Students shall not be removed from campus grounds, any school or residential building or school or residential function at any time except by a person duly authorized. Before a student is removed or excused, the person seeking to remove the student must present, to the satisfaction of the principal, dean of students or their designee, evidence of his/her proper authority to remove the student. A teacher, cottage life attendant or other supervising adult should not excuse a student from a classroom or cottage to confer with anyone unless the request is approved by the principal, dean of student or their designee.

Reference: STUDENTS 3440, 3440P

#### Procedure for Release /Removal of Students from Campus

The school must exercise a high order of responsibility for the care of all students while attending classes, activities or living in the cottages. The removal of a student from campus, at any time, may be authorized in accordance with the following procedures:

1. Law enforcement officers, upon proper identification, may remove a student from school as provided in policy COMMUNITY RELATIONS 4411, Investigations and Arrests by Police.
2. Any other agencies must have written administrative or court order directing MSDB to give custody to them. However, employees of the Department of Family Services may take custody of a student under provisions of 41-3-301 MCA, without a court order. Proper identification is required before the student shall be questioned or released.
3. A student shall be released to the custodial parent. No child is to be released by staff, from the classroom or cottage, without first having been signed out either by the education secretary or cottage office. Notice of sign-out must be communicated to the staff either by a phone or e-mail message or by written note. If a staff person is unsure of the identity of an individual who has been authorized to remove a student from the school or cottage, the staff person must verify the individual's identity by requesting to see a photo ID.

4. A supervisor or administrator shall always check with the custodial parent before releasing the student to a non-custodial parent. When in doubt as to custodial rights, school enrollment records must be relied upon, as the parents/guardian have the burden of furnishing schools with accurate, up-to-date information. Staff will be notified by the administration if the guardianship/custodial status of a student changes during the school year. Staff must immediately notify their program supervisor if a non custodial parent, or unauthorized individual attempts to remove a student from campus. If a staff member is unsure of the custodial status of a student he/she must contact their program supervisor for this information before releasing a student.
5. If there is a routine, i.e., an on-going appointment or if parents routinely pick up children from school or the cottage, this information should be provided in writing or via e-mail to the teacher or cottage life attendant or supervising adult through the education secretary, supervising counselor, school psychologist or health services staff. This information should include the time, date, and to whom the child will be released and beginning and ending dates for the routine release. The parent, guardian, or authorized person does not need to follow sign out procedures when there is a documented routine release.
6. Unless an emergency situation justifies a waiver by an administrator, if a child is to be released, at any time, to another individual, the parent or guardian must provide prior notification in writing, e-mail or via FAX to the principal or dean of student providing the name, contact information and relationship of the individual to the student or family.
7. Police shall be called by a program administrator or supervisor if a visitor becomes disruptive or abusive.

Reference: STUDENTS 3440P

#### Permission/Authorization For Extracurricular And Off-Campus Activities And Events And Visits On And Off Campus

The safety of the children attending school or residing in the cottages at MSDB is the school's paramount concern. For students attending school and living in the residential facilities, MSDB serves in place of the parent. To provide for the highest level of safety and security, the administration will require that all contacts between students and visitors are authorized by parents and that students have permission for participation in all extracurricular and off campus activities and events.

#### Permission to Attend Extra Curricular and Off-Campus Activities

Throughout the school year students have the opportunity to participate in a wide variety of activities during and after school hours. Activities sponsored by MSDB will provide MSDB staff and faculty members in attendance as supervisors. Activities for which MSDB cannot ensure a level of reasonable or prudent care will not be sponsored by the school. However, some activities offered do expose students to a greater possibility of injury or accident, i.e. roller skating or go-cart rides.

Parents will be asked to authorize permission for all fieldtrips conducted as part of the regular classroom curriculum, as well as extra curricular and after school activities.

### Authorizing Visits On or Off Campus

All individuals who are not faculty or staff of MSDB and excluding students of MSDB, Great Falls High, East Middle School or Lewis and Clark Elementary, must have authorization by a parent or guardian of a specific student to visit with that student on the MSDB campus.

MSDB students will not be allowed to be escorted or transported off campus with any individual who has not been authorized by a parent or guardian.

The parent or guardian assumes responsibility for the safety and well being of their student during the time that he/she is off campus with an authorized visitor.

Individuals who are not known to school/cottage faculty or staff will be asked for photo identification, usually a driver's license, prior to being permitted to visit with or escort a student off-campus.

The school and/or residential programs reserve the right to deny visitations or release of students to visitors if it is believed the safety or welfare of a student may be in jeopardy. This may include denial of permission to visit a specific individual or location off campus if the MSDB administration has knowledge of, or reason to believe that a students' safety may be at risk. If visitation or release is denied, the parent/guardian will be notified with reason for the denial.

### Obtaining Permissions and Authorizations

Permission for participation in school sponsored activities may be granted by a parent/guardian on a "blanket" (entire school year/season) or a "limited" (specific activity or date) basis.

Requests for permission/authorization may be initiated by a parent/guardian or school administration.

Authorization/permission may be granted through written correspondence, e-mail or FAX, or verbally by phone.

Reference: STUDENTS 3351

### Program Evaluation and Student Assessment

Parents who wish to examine any assessment materials may do so by contacting the Superintendent. Parental approval is necessary before administering an individual intelligence, developmental, communication, assistive technology, speech and language, English proficiency, observational or social-emotional, behavioral or classroom based assessments, academic achievement tests, norm referenced and/or criterion referenced tests, local assessments or vocational evaluations. No tests or measurement devices containing any questions about a student's or the student's family's personal beliefs and practices in family life, morality, and religion shall be administered, unless the parent gives written permission for the student to take such test, questionnaire, or examination.

Reference: INSTRUCTION 2130

## Guidelines for Providing Interpreter Services for Students

Interpreter services will be provided to students by the MSDB for:

1. All classes and school related activities listed in the IEP conducted as a part of the school day at GFPS and MSDB.
2. Appointments, training and work related to transition services documented in the IEP.
3. All extra curricular activities sponsored by the elementary and middle school programs in the GFPS and MSDB.
4. All sanctioned MHSA activities as scheduled on the official MHSA seasonal calendar. This includes MHSA sanctioned preseason training.
5. Supportive services that are not included in the IEP but are necessary for the student to be successful in their residential or education placement.

Interpreter services necessary to access community based services regardless of whether the provider is a private business or public agency shall be provided by the business or service provider.

It is the responsibility of the business or service provider to schedule and provide payment for the interpreter service.

When making an appointment for a student always:

1. Inform the business or agency that you are calling for a deaf or hard of hearing student who will need an interpreter.
2. Never agree to arrange for the interpreter. This is the responsibility of the business or agency as required under the provisions of the Federal Americans with Disabilities Act.
3. Never agree to pay for the service. This is the responsibility of the business or agency as required under the provisions of the Federal Americans with Disabilities Act.

If a business or public agency does not know who provides interpreter services you are to give them the following information for the two local interpreter referral services:

The Montana Deaf and Hard of Hearing Service Center, P.O. Box 64334, Great Falls, MT and Best Interpreter Services, 228 Woodland Estates Road, Great Falls, MT. The number for the MDHHS is 771-9194. The number for Best Interpreter Services is 771-4793.

## Confidentiality of Student Information

Confidentiality is an issue that is addressed in both state and federal regulations. Guidelines that are in place for public schools are even more strict concerning regarding special education students. Every student at the Montana School for the Deaf and the Blind is legally considered to be a special education student.

It is against the law to divulge any information regarding a special education student without written authorization from their parent. Even the transfer of records from one school to another is not made until the proper written authorization has been obtained. Staff members in the residential program are as legally bound as the academic staff to respect and uphold the confidentiality of the students in our care. This includes the following issues:

Staff members are not to release identifying information\* regarding a student over the phone to anyone, unless that person is confident that the individual they are communicating with is:

- 1) The parent/guardian of the student in question. If a parent requests identifying information regarding another child, the staff is not authorized to release any information. The only way to verify that the individual (other than the parent) is authorized to receive information regarding the student is to check the permission

sheets that are located in the cottage office or in the student's education file.

- 2) Another individual whom the parent has given written authorization to contact the student or receive information on the student.

Staff members are not to release any identifying information to any member of the general public. This includes people that a staff member might be having a casual conversation with, a friend, or other individual.

Staff members should be cautious in their conversations regarding students with other staff members. If you are speaking with other members of your department and can justify the need for those others to know the situation, passing on information regarding the students is acceptable.

If you are speaking with members of another department and they have no justifiable need to know, it is not appropriate for you to discuss the situation or the students involved.

If you have reported the situation to your immediate supervisor, the supervisor becomes responsible for the information. You no longer have a need to seek out an individual to discuss your concerns. If you question what action has been taken, you can ask your supervisor for additional information and clarification.

If you feel an action taken by your supervisor is not adequate, inform them that you are going to bring your concerns to their supervisor and continue through the appropriate chain of command.

There is also a great amount of confidentiality of records. Information that identifies students and/or their families, should not become common knowledge. Such information is properly destroyed by being shredded, rather than just thrown away.

If you question whether information should be shredded or not, bring it to the education secretary or cottage office to be shredded.

\*Identifying information includes - name, name of parents, phone number, address, and/or details regarding the student's behavior, health, or their personal life. All of the above legally falls into the category of confidential information.

Reference: STUDENTS 3600,3601,3603

### Student and Family Privacy and the Collection of Personal Information

Surveys - General All surveys requesting personal information from students, as well as any other instrument used to collect personal information from students, must advance or relate to the School's educational objectives as identified in Board Policy. This applies to all surveys, regardless of whether the student answering the questions can be identified and regardless of who created the survey.

Surveys Created by a Third Party Before the School administers or distributes a survey created by a third party to a student, the student's parent(s)/guardian(s) may inspect the survey upon request and within a reasonable time of their request.

This section applies to every survey: (1) that is created by a person or entity other than a School official, staff member, or student, (2) regardless of whether the student answering the questions can be identified, and (3) regardless of the subject matter of the questions.

Surveys Requesting Personal Information School officials and staff members shall not request, nor disclose, the identity of any student who completes ANY survey containing one (1) or more of the following items:

- a) Political affiliations or beliefs of the student or the student's parent/guardian;
- b) Mental or psychological problems of the student or the student's family;
- c) Behavior or attitudes about sex;
- d) Illegal, anti-social, self-incriminating, or demeaning behavior;
- e) Critical appraisals of other individuals with whom students have close family relationships;
- f) Legally recognized privileged or analogous relationships, such as those with lawyers, physicians, and ministers;
- g) Religious practices, affiliations, or beliefs of the student or the student's parent/guardian;
- h) Income (other than that required by law to determine eligibility for participation in a program or for receiving financial assistance under such program).

The student's parent(s)/guardian(s) may:

- a) Inspect the survey within a reasonable time of the request, and/or
- b) Refuse to allow their child to participate in any survey requesting personal information. The school shall not penalize any student whose parent(s)/guardian(s) exercise this option.

Collection of Personal Information from Students for Marketing Purposes The term "personal information," for purposes of this section only, means individually identifiable information including: (1) a student's or parent's first and last name, (2) a home or other physical address (including street name and the name of the city or town), (4) telephone number, or (5) a Social Security identification number.

The School will not collect, disclose, or use student personal information for the purpose of marketing or selling that information or otherwise providing that information to others for that purpose.

The School, however, is not prohibited from collecting, disclosing, or using personal information collected from students for the exclusive purpose of developing, evaluating, or providing educational products or services for, or to, students or educational institutions such as the following:

- a) College or other post-secondary education recruitment or military recruitment;
- b) Book clubs, magazines, and programs providing access to low-cost literary products;
- c) Curriculum and instructional materials used by elementary schools and secondary schools;
- d) Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments;
- e) The sale by students of products or services to raise funds for school-related or education- related activities;
- f) Student recognition programs.

The rights provided to parents/guardians in this policy transfer to the student, when the student turns 18 years of age or is an emancipated minor.

Reference: STUDENTS 3602

## **Policies, Procedures and Guidelines For Employees**

### Applicability of Personnel Policies

Except where expressly provided to the contrary, personnel policies apply uniformly to the employed staff of the Montana School for the Deaf and the Blind. However, where there is a conflict between the terms of a collective bargaining agreement and the MSDB's policy, the law provides that the terms of the collective bargaining agreement shall prevail for the staff covered by that agreement.

When a matter is not specifically provided for in an applicable collective bargaining agreement, the policies established in the Montana Operations Manual and by the Board of Public Education, to effectively and efficiently manage MSDB, shall govern.

Reference: PERSONNEL 5021

### Evaluation of Non-Administrative Staff

The employee's direct supervisor shall evaluate each non-administrative employee's job performance in accordance with ARM 2.21.6401 and MOM Section 3-0115 "Performance Management and Evaluation." The administration and employees and/or members of a collective bargaining agreement shall collaboratively develop the evaluation procedure including forms or other instruments used for assessment. The evaluation procedure will be conducted using a process and forms applicable to the job classification and description and day-to-day appraisals based on the performance and competence of the individual employee. The evaluation procedure will be non-discriminatory and uniformly applied.

1. The evaluation process includes scheduled performance evaluations at each of the following points:
  - a) During the first six-months of an initial, 12-month probationary period, ARM 2.21.6401, SDB 3.07,
  - b) before the end of a full academic year, for certified and non-certified staff in the education program, or before the end of a full 12-months for classified staff in the residential and administration programs,
  - c) annually for the next two years, before the end of each academic year,
  - d) once every three years for all subsequent years of employment, as part of a 3 year cycle of evaluation and professional development activities:
    - Year 1 – formative evaluation to develop job targets for performance improvement.
    - Year 2 – identify professional goals for career track development.
    - Year 3 – summative evaluation to assess job performance.
  - e) anytime an employee's performance is determined, by the immediate supervisor, to be substandard.
2. The probationary period may be extended for a maximum of 6 additional, consecutive calendar months in accordance with ARM 2.21.3809. A probationary employee may be dismissed at any time during the probationary period whether or not a formal performance evaluation has been conducted.
3. The dismissal of certified staff under permanent employment status shall conform with all procedures outlined in MCA 20.4.204 "Termination of tenure teacher services" and/or MCA 20.4.207 "Dismissal of teacher under contract."
4. Initiation of formal or informal disciplinary actions under MOM section 3-0120 is not



dependent on completion of the performance evaluation process.

5. The supervisor shall provide a copy of the completed evaluation to the employee and shall provide an opportunity to discuss the evaluation.
6. The original evaluation form shall be signed by the employee and filed with the Superintendent to be placed in the employees' personnel file. If the employee refuses to sign the evaluation, the supervisor should note the refusal and submit the evaluation to the Superintendent.
7. An employee shall have the right to submit a written response to an evaluation, which shall be retained with the evaluation in the employee's personnel record. The response shall be submitted to the employee's supervisor or another person designated in an agency policy within 10 working days of the evaluation.
8. Procedural errors that are subject to the filing of a grievance pursuant to ARM 2.21.8011 et seq., grievances are failure of an evaluator to:
  - a) inform an employee of the performance management plan at the start of an evaluation period or of changes to the plan made during the evaluation period;
  - b) provide an employee with the completed evaluation and any reviewer's comments;
  - c) advise an employee of the right to submit a written response.
9. No employee may file a grievance based on the content of a performance management plan, the evaluation or reviewer's comments.
10. An employee who has not attained permanent status may not file a grievance under ARM 2.21.8011 et seq., involving any aspect of the performance management and evaluation process.
11. Initiation of informal or formal disciplinary actions under the discipline handling policy, ARM 2.21.6501 et seq., is not dependent on completion of the performance evaluation process.

Reference: PERSONNEL 5222

### Personal Conduct

Employees of MSDB are expected to maintain high standards of honesty, integrity, and impartiality in the conduct of school business.

In accordance with state law, an employee should not dispense or utilize any information gained from employment with MSDB, accept gifts or benefits, or participate in business enterprises or employment which create a conflict of interest with the faithful and impartial discharge of the employee's duties at MSDB. An MSDB employee may, prior to acting in a manner which may impinge on any fiduciary duty, disclose the nature of the private interest which creates a conflict. Care should be taken to avoid using, or avoid the appearance of using, official positions and confidential information for personal advantage or gain.

Further, employees should hold confidential all student information deemed to be not for public consumption as determined by state and federal law and Board policy. Employees shall also respect the confidentiality of people served in the course of the employee's duties and use information gained in a responsible manner. Any employee who discloses confidential and/or private information learned during the course of the employee's duties or learned as a result of participating in a closed (executive) session of the Board, may be subject to discipline up to and

including discharge. Discretion should be employed even within the school system's own network of communication.

Administrators and supervisors may set forth specific rules and regulations governing an employee's conduct on the job within a particular building.

### Public Relations

As employees of the Montana School for the Deaf and the Blind, our staff works for the benefit of the children of the State of Montana. The School is judged to a considerable extent by the staff's behavior toward the people of this State. Every employee in this School has contact with the general public in one way or another. It is essential to be pleasant and helpful, endeavoring to give the best service possible, promptly, efficiently, and courteously.

All employees of the School are expected to maintain standards of conduct and appearance suited to their positions. Personal appearance and conduct are part of the employee's rating. In working with fellow employees staff should feel free to give praise when a good job has been done and should be especially careful of criticizing others. Staff should be especially helpful and sympathetic with new employees. Deserved praise always increases morale and work efficiency. As a State employee our workers should maintain a good credit rating.

Reference: PERSONNEL 5223

### Teamwork

To get things done through teamwork the operation, of this School is subdivided and handled by special workers, each one responsible for a particular job. The immediate supervisor is the person chiefly responsible for a particular job and for the activities of the group. Work problems and disputes within the area should be dealt with through the proper chain of command. In fulfilling their responsibilities the supervisors expect full cooperation from the employees.

Questions as to whom the direct supervisor is can be resolved by consulting the organizational chart or asking your program administrator. It is imperative that staff understand the chain of authority in the program and their place within the structure. It is easier to function and to get things accomplished if established procedures are followed and if employees maintain appropriate contacts with other program personnel within the school.

### Dispute Resolution

Any employee who believes that the Board of Public Education or its agents have violated their rights guaranteed by the State or federal constitution, State or federal statute, or Board policy may seek complaint resolution as outlined in Montana Operations Manual, Volume III, Policy 3-0125 "Grievances." It is the objective of this policy to provide minimum standards for the procedure to be used to adjust grievances filed by eligible employees.

The Montana School for the Deaf and the Blind will endeavor to respond to and resolve complaints without resorting to this grievance procedure and, if a complaint is filed, to address the complaint promptly and equitably. The request of an employee to prompt and equitable resolution of the complaint filed outside of MOM, Policy 3-0125 shall not impair the employee's pursuit of other remedies. Use of the grievance procedure as outline in Grievance Procedure, 2.21.8017, ARM, is not a prerequisite to the pursuit of other remedies, and use of this grievance procedure does not extend any filing deadline related to the pursuit of other remedies.

It is the policy of the state of Montana that employees who have attained permanent status may file a grievance as provided in these rules, unless the employee is covered by a grievance procedure provided under a collective bargaining agreement or a statutory grievance procedure.

Incidents of sexual harassment must be reported using the procedure in the sexual harassment prevention policy, found at ARM 2.21.1305 (also found at policy 3-0620, Montana operations manual, volume III).

Incidents that are alleged to be in violation of the Americans with Disabilities Act (ADA) of 1990 must be reported using an ADA complaint resolution procedure if such a procedure has been adopted by a department. Otherwise, the employee shall proceed under this policy.

A job classification appeal must be resolved through the procedure adopted by the board of personnel appeals at ARM 24.26.501 et seq., and may not be filed under any other grievance procedure.

Nothing in this policy precludes an employee who is alleging unlawful discrimination from concurrently exercising any statutorily-protected right to timely file a complaint with a civil rights enforcement agency.

Reference: PERSONNEL 5240

### Employee Responsibility

All staff members are responsible for all of the students all of the time and at any place. We are acting in place of parents for most of the children. The time to teach is at any time and place – in the hall, downtown, or as the case arises.

Although every hour of a work shift might not include active involvement with the children, except for scheduled off duty time, all of the time should be directed toward program related duties. Staff should expect to be confronted if they are watching television when there are no children in the area watching television with them. Employees should not engage in any activity that is not work related during duty hours.

Reference: PERSONNEL 5700

### School Owned Property and Inventory

Everything on this campus bought with State money is the property of the School. Anything made with School purchased materials becomes school property. This includes such things as mounted and/or laminated pictures and photographs. All material shall be made available to the entire faculty.

An inventory of all building furnishings and equipment is maintained and updated at the beginning and end of each school year.

All permanent items have been inventoried with serial number and description. If any item on the equipment or material inventory is moved to another location for temporary use, staff removing the item is responsible for replacing it.

Use of any facility for a non-scheduled purpose must be approved by the Principal or Dean of Students. Students are not permitted in any area of the buildings alone and are never to be in possession of a staff members keys. Any employee taking students into an area is responsible for them. Anyone using the School after regular hours must have the permission of the

Principal or the Dean of Students. The individual using the school becomes responsible for locking all doors used, turning off lights, etc.

### Responsibility for Materials, Supplies and Equipment

All materials, supplies, and equipment purchased and belonging to the School are for the use and benefit of the students and personnel on the premises. Each staff member is responsible and accountable for all materials, supplies and equipment, distributed to them or in their work area. Absolutely none of these materials are to be removed from the premises unless authorized by the Superintendent, Principal or Dean of Students. Use of school equipment and supplies for personal use is prohibited and can result in disciplinary action up to and including termination of employment with the School.

### Damage to School Property

Deliberate damage to School owned property such as books, machinery, etc. will be paid for by the person (including students) doing the damage. All damage should be reported to the Principal or Dean of Students as soon as possible.

### Campus Care and Repair

Staff are expected to set a good example in keeping the campus neat. Students are encouraged to pick up litter, both inside and out and place it in wastebaskets and trash cans.

Staff should keep in mind that ultimately they are the individuals who are held responsible for the cleanliness of their departments and work areas and, therefore, if they do not wish for the students to perform a given housekeeping task or are unable to get the students to perform that chore, the adults must complete that duty. The classroom buildings, cottages, and Mustang Center should be clean and orderly at all times.

Employees should report any item needing repair to their program administrators who are responsible for initiating the procedure for getting items repaired or serviced. The program administrators are responsible for seeing that maintenance is notified.

### Conservation

One of the greatest problems facing the world today is conservation of our resources. Everything thrown away is wasted and most of it can never be replaced. This fact should be stressed daily with students. The adults need to set a good example by not wasting things and making sure everything is used before being discarded. Staff should conserve electricity, water, and heat.

### Employee Property and Procedures for making Claims for Damages

Employees who bring any and all personal property to campus do so at their own risk. Unless the use or presence of personal property at a school function or on school grounds has been specifically approved, in writing by a program administrator, MSDB will not assume responsibility for its maintenance, repair or replacement.

The MSDB will provide just compensation for the destruction or damage of personal property, including prosthetic devices, and clothing, when the loss or damage is the result of an interaction with a student while carrying out assigned duties in accordance with school policies and procedures. This provision covers only those personal items necessary for the performance of assigned duties; i.e., glasses, watches, clothing. The School will not provide compensation for damaged personal property when an employee has been instructed by a

supervisor not to bring to, or wear specifically identified items in the work setting. Compensation will be made providing any personal property, prosthetic devices, or clothing so damaged or destroyed, is approved by the administration. Approval for compensation is subject to the incident being reported to the employee's immediate supervisor prior to the end of the shift during which the incident occurred and a fiscal claim being made to the business office within seventy-two (72) hours.

Reference: NONINSTRUCTIONAL OPERATIONS 8340

### Smoking and Use of Tobacco on Campus

The School maintains tobacco free buildings and grounds. Tobacco includes, but is not limited to, cigarettes, cigars, snuff, smoking tobacco and smokeless tobacco. Use of tobacco by employees or the public will not be allowed in any buildings or grounds, nor will employees be allowed to use tobacco while on duty. Prohibitions on tobacco use are applicable at all times.

It is the responsibility of program administrators or their designee to enforce the ban on use of tobacco products in school buildings and on school grounds. Employees who observe a violation of the School's tobacco free policy should immediately bring it to the attention of a program administrator or supervisor of the event where tobacco products are being used.

Tobacco products may be permitted in a classroom or on other school property as part of a lecture, demonstration, or educational forum sanctioned by a school administrator or faculty member concerning the risks associated with use of a tobacco product.

Reference: 20-1-220, 50-40-101, MCA, PERSONNEL 5225

### Blood-Borne Pathogens and Immunizations

Because most employees at MSDB work primarily with children, they are encouraged to discuss routine adult immunization recommendations with their physicians or the MSDB Director of Health Services. This includes influenza, tetanus-diphtheria, MMR, chicken pox or hepatitis B.

Immunization for Hepatitis B is highly recommended for those MSDB staff members who are employed in departments determined to be at high risk. Employees in these area may receive this series of immunizations at no cost and may discuss this issue further with the Health Services Director.

If an employee is exposed to blood or body fluids on the job through accidental injury or indirect transmission (open cuts, skin abrasions, mucus membranes or the mouth, nose and eyes) they should immediately notify Health Services staff.

### General Guidelines for Minimizing the Transmission of Communicable Diseases in Groups of Children/Youth in School Settings

Certain basic hygiene measures are important to reduce the chance of transmission of any communicable disease in groups of developmentally delayed children/youth in school settings.

1. HANDWASHING WITH SOAP AND RUNNING WATER FOR 15-30 SECONDS AND DRYING WITH DISPOSABLE PAPER TOWELS IS THE SINGLE MOST IMPORTANT TECHNIQUE FOR PREVENTING THE SPREAD OF DISEASE AND SHOULD BE DONE FREQUENTLY:
  - a) before eating, drinking, or smoking

- b) before handling clean utensils or equipment
- c) before and after handling student's food
- d) before and after assisting or training the student in toileting and feeding
- e) before and after using the bathroom
- f) after contact with body secretions and excretions, i.e. blood, urine, feces, mucous saliva, drainage from wounds
- g) after handling soiled diapers, menstrual pads, garments or equipment after caring for any student, especially those with nose, mouth or ear discharges

NOTE: The wearing of disposable gloves is not a substitute for handwashing. Hands must be washed thoroughly after removing gloves.

2. The mouthing of toys, pencils and other shared items by students should be strongly discouraged.
3. Daily sanitation of all surfaces involve in food handling or diapering and of all surfaces or items which have been mouthed by students (including toys) should be done using the following freshly prepared solution - 1/4 to 1/2 cup of household bleach in one gallon of water.
4. All students should be educated about appropriate hygienic measures to prevent the spread of communicable disease. Those students who are known carriers of a communicable disease should be educated about the additional control measures for minimizing transmission of the specific disease.

#### Employee Contact With Students

It is the responsibility of the Montana School for the Deaf and the Blind to provide a positive and nurturing environment for the students who attend school and reside on the MSDB campus. The school recognizes that positive relationships between staff and students are critical for successful communication, instruction and mentoring. The school also recognizes that all students and their families have certain guaranteed rights to privacy and those unique relationships between students and MSDB staff exist only because the student has been placed at MSDB under an IEP. In the absence of that placement no faculty or staff would have access to a student. The school also recognizes that all students must be provided equal access to social and recreational activities by MSDB's programs, faculty and staff. Under these unique conditions the school may choose to exercise control over the interaction that faculty and staff with students both inside and outside of their assigned work schedule.

All staff is prohibited from taking students to, or supervising students at, any home or residence which is not controlled by a parent or guardian, or where a parent or guardian is not present.

All staff must receive prior approval from the administration before asking a parent for permission to invite a student to join them in off-campus activities, outside of their scheduled work hours and before inviting the student to do so.

Parents or guardians must authorize all contact between off-duty faculty or staff and students.

The administration may deny parent authorized contact between faculty/staff and students, in off-campus activities outside of their scheduled work hours when that contact may be disruptive to the residential or education programs or when the administration believes that such contact may not be in the best interest of any student.

Reference: PERSONNEL 5701

### Use of Force/Abuse

Ensuring the health, safety and security of the students enrolled at MSDB is the paramount concern of everyone employed by the school. To this end every employee who has regular supervised or unsupervised contact with students will be familiar with and comply with the procedures outlined within the "progressive discipline plan" contained in the "MSDB Student Handbook". This plan is designed to provide students and staff opportunities to work cooperatively to promote student behaviors necessary and conducive to learning in a positive learning environment.

Physical or psychological abuse or neglect, as defined in MCA 41-3-102 and MCA 45-5-625, which is inflicted on a student for the purpose of intimidation or coercion, constitutes "Abuse of Force." In no case will faculty or staff utilize an abuse of force to obtain compliance of a student with any directive. In the event that a student demonstrates noncompliant, disrespectful and/or disorderly behavior, faculty and staff are to refer the student to their immediate supervisor for progressive disciplinary action.

Faculty or staff may use physical restraint, intervention techniques or force only in cases when by his/her actions, a student poses a clear and present danger to himself/herself or others or to protect property from serious harm. Only in these instances may a faculty or staff member use physical force or restraint to protect herself/himself, another student or another staff member, or to protect property from serious harm as defined in MCA 20-4-302.

When physical restraint is necessary to protect students from injuring himself or others, an administration approved program of restraint techniques will be utilized. Faculty and staff will receive appropriate training before being allowed to use restraint techniques.

If a faculty or staff member is unfamiliar with, untrained in or uncomfortable in utilizing approved techniques, he/she must request immediate assistance from an administrator or employee trained to utilize restraint techniques.

*In the event that a faculty/staff member uses physical force against a student for any reason, the immediate supervisor or an administrator is to be notified immediately and a written summary is to be prepared by the employee and submitted to the administration before the end of their scheduled duty day.*

Any employee who doesn't have regular supervised or unsupervised contact with students is to avoid any interaction with a noncompliant, disrespectful or disorderly student and is to make an immediate report to their supervisor or administrator.

Any faculty or staff member found to have subjected a student to physical force for any reason other than to protect the student from harming himself/herself or others will be subject to disciplinary action up to and including termination.

Faculty and staff discovered to have subjected any student to any form of abuse; sexual, physical, or psychological, will be reported to the Department of Public Health and Human Services and/or local law enforcement for investigation as outlined in MCA 41-3-201.

Any faculty /staff reported for investigation is subject to immediate suspension and possible termination pending the outcome of any investigation.

Reference: PERSONNEL 5710

### Legal Definitions for Abuse

"Physical abuse" means an intentional act, an intentional omission, or gross negligence resulting in substantial skin bruising, internal bleeding, substantial injury to skin, subdural hematoma, burns, bone fractures, extreme pain, permanent or temporary disfigurement, impairment of any bodily organ or function, or death.

"Physical neglect" means either failure to provide basic necessities, including but not limited to appropriate and adequate nutrition, protective shelter from the elements, and appropriate clothing related to weather conditions, or failure to provide cleanliness and general supervision, or both.

"Psychological abuse or neglect" means severe maltreatment through acts or omissions that are injurious to the child's emotional, intellectual, or psychological capacity to function, including acts of violence against another person residing in the child's home.

"Sexual abuse" means the commission of sexual assault, sexual intercourse without consent, indecent exposure, deviate sexual conduct, sexual abuse, ritual abuse, or incest, as described in Title 45, chapter 5.

45-5-62. MCA Sexual abuse of children. (1) A person commits the offense of sexual abuse of children if the person:

- (a) knowingly employs, uses, or permits the employment or use of a child in an exhibition of sexual conduct, actual or simulated;
- (b) knowingly photographs, films, videotapes, develops or duplicates the photographs, films, or videotapes, or records a child engaging in sexual conduct, actual or simulated;
- (c) knowingly persuades, entices, counsels, or procures a child to engage in sexual conduct, actual or simulated, for use as designated in subsection (1)(a), (1)(b), or (1)(d);
- (d) knowingly processes, develops, prints, publishes, transports, distributes, sells, exhibits, or advertises any visual or print medium in which children are engaged in sexual conduct, actual or simulated;
- (e) knowingly possesses any visual or print medium in which children are engaged in sexual conduct, actual or simulated;
- (f) finances any of the activities described in subsections (1)(a) through (1)(d) and (1)(g), knowing that the activity is of the nature described in those subsections; or
- (g) possesses with intent to sell any visual or print medium in which children are engaged in sexual conduct, actual or simulated.

Reference: PERSONNEL 5710

### Use of Physical Restraint

Faculty or staff may use physical restraint, intervention techniques or force only in cases when by his/her actions, a student poses a clear and present danger to him/herself or others. Only in these instances may a faculty or staff member use physical force or restraint to protect himself, another student or another staff member from serious harm as defined in MCA 20-4-302.

In this statute there are 6 reasons identified in which a school employee may use restraint on a student to:

- 1) stop a fight,
- 2) protect oneself,
- 3) protect a student or to protect one student from another,
- 4) take a weapon or danger object from a student,
- 5) move a student from one area to another,



6) protect school property.

Using force or restraint is clearly justified with reasons 1, 2, 3, and 4, which constitute emergency situations. It is less clear why a teacher, cottage life attendant or other staff person would be justified in using force to move or redirect a student or to protect property, which are not emergency situations, when the use of force could result in injury to the student or the staff person.

Any adult who uses restraint or force on a student runs the risk of being charged with a misdemeanor, under MCA 20-4-302 section 7, or being held liable, in a civil case under MCA 20-4-302 section 8, for assault or physical abuse if it is found by a jury that the restraint or force was unnecessary or unreasonable.

Procedure for Use of Physical Restraint

To protect everyone, students and staff alike teachers, teacher assistants, cottage life attendants, or other staff WILL NOT put their hands on, use physical restraint, or use other force on a student to: 1) relocate a student or 2) protect property.

When a student needs to be relocated or restrained from leaving an area or restrained to prevent the destruction of property the staff or faculty is to immediately call a supervisor or administrator or the education, cottage or administrative office for assistance. The "Emergency Action Manual" lists an emergency number so that staff or faculty can contact the on-duty supervisor for assistance.

If the on-duty supervisor does not respond, staff or faculty are to contact the education, cottage or administrative office for assistance.

While waiting for assistance, staff or faculty are to follow the procedures in the "Emergency Action Manual" which generally instruct the staff member to:

- a) Clear the area of other students if the offending student's behavior is posing a potential risk to others.
- b) Give the offending student space and disengage in communicating with the student.
- c) Seek assistance from another staff person, in the immediate area, to monitor other students while waiting for the on-duty supervisor.
- d) Attend to the other students after assistance has arrived.

To protect everyone, students and staff alike, teachers, teacher assistants, cottage life attendants, or other staff MAY use reasonable or necessary physical restraint to protect a student from harming him/herself, other students or staff, or the staff member.

This includes instances where by allowing the student to leave an area the student places him/herself in danger or by allowing the student to destroy property the student is at risk of hurting him/herself or others.

When physical restraint is necessary to protect students from injuring himself or others, a program of administration approved techniques, i.e. the Mandt System, David Mandt and Associates, will be utilized. Faculty and staff will receive appropriate training before being allowed to use restraint techniques.

If a faculty or staff member is unfamiliar, untrained or uncomfortable in utilizing approved techniques, he/she must request immediate assistance from an administrator or employee trained to utilize restraint techniques.

In the event that a faculty/staff member uses physical force against a student for any reason, the immediate supervisor or an administrator is to be notified immediately and a written

summary is to be prepared by the employee and submitted to the administration before the end of their scheduled duty day.

Any employee who does not have regular supervised or unsupervised contact with students is to avoid any interaction with a noncompliant, disrespectful or disorderly student and is to make an immediate report to their supervisor or administrator.

References: MCA 20-4-302. Discipline and Punishment of Pupils  
PERSONNEL 5701P

20-4-302, MCA. Discipline and punishment of pupils -- definition of corporal punishment -- penalty -- defense.

- (1) A teacher or principal has the authority to hold a pupil to a strict accountability for disorderly conduct in school, on the way to or from school, or during intermission or recess.
- (2) For the purposes of this section, "corporal punishment" means knowingly and purposely inflicting physical pain on a pupil as a disciplinary measure.
- (3) A person who is employed or engaged by a school district may not inflict or cause to be inflicted corporal punishment on a pupil.
- (4) (a) A person who is employed or engaged by a school district may use physical restraint, defined as the placing of hands on a pupil in a manner that is reasonable and necessary to:
  - (i) quell a disturbance;
  - (ii) provide self-protection;
  - (iii) protect the pupil or others from physical injury;
  - (iv) obtain possession of a weapon or other dangerous object on the person of the pupil or within control of the pupil;
  - (v) maintain the orderly conduct of a pupil including but not limited to relocating a pupil in a waiting line, classroom, lunchroom, principal's office, or other on-campus facility; or
  - (vi) protect property from serious harm.
- (b) Physical pain resulting from the use of physical restraint as defined in subsection does not constitute corporal punishment as long as the restraint is reasonable and necessary.
- (5) A teacher in a district employing neither a district Superintendent nor a principal at the school where the teacher is assigned has the authority to suspend a pupil for good cause. When either a district superintendent or a school principal is employed, only the Superintendent or principal has the authority to suspend a pupil for good cause. Whenever a teacher suspends a pupil, the teacher shall notify the trustees and the county superintendent immediately of the action.
- (6) A teacher has the duty to report the truancy or incorrigibility of a pupil to the district superintendent, the principal, the trustees, or the county superintendent, whichever is applicable.
- (7) If a person who is employed or engaged by a school district uses corporal punishment or more physical restraint than is reasonable or necessary, the person is guilty of a misdemeanor and, upon conviction of the misdemeanor by a court of competent jurisdiction, shall be fined not less than \$25 or more than \$500.
- (8) A person named as a defendant in an action brought under this section may assert as an affirmative defense that the use of physical restraint was reasonable or necessary. If that defense is denied by the person bringing the charge, the issue of whether the restraint used was reasonable or necessary must be determined by the trier of fact.

### Guidelines for Use of Phones and Voice-mail

The facilities of the state's telecommunications system are provided principally for the conduct of state business. This includes all state owned stationary phones and cellular phones. Phones may be used for essential or emergency personal business. However, this usage must be kept to a minimum, as not to interfere with the conduct of school business. Essential personal long distance calls must be either collect, charged to a third party non-state number or charged to a personal credit or calling card. All long distance calls, whether made from a stationary or cellular phone, must be recorded on an "MSDB Telephone Log."

Monthly audits of outgoing phone calls are made on each phone with long distance access as well as all incoming and outgoing calls made to cellular phones.

Abuse of these guidelines could result in disciplinary action up to and including termination.

Reference ARM 2.13.101-2.13.107

Use of On-Campus Phones in Classrooms or Cottages To promote efficiency and convenience for school business, local access and voice-mail are available on phones located in classrooms and most offices. Employee use of classroom or cottage phone service is to be confined to school business. Outgoing personal calls are to be limited to the time before and after the duty day, during prep periods, scheduled breaks or lunch breaks.

Use of Voice-mail In the classroom, during scheduled class time, all outside calls are to go to voice-mail. In the event of urgent business or an emergency, the caller may speak with a secretary who will transfer the call back to the classroom.

For the convenience of parents, teachers or cottage staff may leave a voice-mail greeting that indicates times that they may be contacted directly i.e. "This is \_\_\_\_\_. I am currently in class. You may leave a message or call again between the hours of \_\_\_\_\_ and \_\_\_\_\_ when I will be available to take your call. If this is an emergency please press 0 and you may speak with the secretary."

Abuse of the local access service or voice-mail will result in the loss of this service to the classroom or cottage.

### The General Use of State-Owned Computer and E-mail Systems

Each user of the State of Montana's computing and information resources must act responsibly. Each user is responsible for the integrity of these resources. All users of State-owned or State-leased computing systems must be knowledgeable of and adhere to agency policies, respect the rights of other users by minimizing unnecessary network traffic that might interfere with the ability of others to make effective use of this shared network resource, respect the integrity of the physical facilities and controls, and obey all federal, state, county, and local laws and ordinances. All employees must abide by these policies, relevant laws and contractual obligations, and appropriate ethical standards.

State computing facilities and User IDs are to be used for the job-related activities for which they are assigned. State computing resources are not to be used for the following:

- a) private commercial purposes,
- b) non-State-related activities (including games or software that is not required for an employees job responsibilities), or
- c) non-State standard software. Exceptions can be granted by ITSD for the use of software for which a State standard exists.

Procedure for Changing or Securing New Passwords If a student/staff member forgets or misplaces his/her password, he/she is to report to either the Network Manager or Technology Coordinator to have the password reset. The Network Manager or Technology Coordinator will then reset that person's password, and inform him/her of the change. At the next logon, the student/staff member will enter the password assigned by either the Network Manager or Technology Coordinator, but will be required to change it immediately upon logon, and will not be allowed access to the computer or network until password is changed.

Misuse of Computer Resources The following items represent, but do not fully define, misuse of computing and information resources:

- Using computer resources to create, access, download, or disperse derogatory, racially offensive, sexually offensive, harassing, threatening, or discriminatory materials.
- Down-loading, installing, or running security programs or utilities which reveal weaknesses in the security of the state's computer resources unless a job specifically requires it.
- Use of computers and User IDs for which there is no authorization, or use of User IDs for purpose(s) outside of those for which they have been issued.
- Attempting to modify, install, delete or remove computer equipment, software, or peripherals without proper authorization. This includes installing any non-work related software on State-owned equipment.
- Accessing computers, computer software, computer data or information, or networks without proper authorization, regardless of whether the computer, software, data, information, or network in question is owned by the State. (That is, if you abuse the networks to which the State has access or the computers at other sites connected to those networks, the State will treat this matter as an abuse of your computing privileges.)
- Circumventing or attempting to circumvent normal resource limits, logon procedures, and security regulations.
- The use of computing facilities, User IDs, or computer data for purposes other than those for which they were intended or authorized.
- Sending fraudulent e-mail, breaking into another user's e-mailbox, or unauthorized personnel reading someone else's e-mail without his or her permission.
- Sending any fraudulent electronic transmission, including but not limited to fraudulent requests for confidential information, fraudulent submission of electronic purchase requisitions or journal vouchers, or fraudulent electronic authorization of purchase requisitions or journal vouchers.
- Violating any software license agreement or copyright, including copying or redistributing copyrighted computer software, data, or reports without proper, recorded authorization.
- Taking advantage of another user's naivete or negligence to gain access to any User ID, data, software, or file that is not your own and for which you have not received explicit authorization to access.
- Physically interfering with other users' access to the State's computing facilities.
- Encroaching on or disrupting others' use of the State's shared network resources by creating unnecessary network traffic (for example, playing games or sending excessive messages); wasting computer time, connect time, disk space, or other resources; modifying system facilities, operating systems, or disk partitions without authorization; attempting to crash or tie up a State computer; damaging or vandalizing State computing facilities, equipment, software, or computer files).
- Disclosing or removing proprietary information, software, printed output or magnetic media without the explicit permission of the owner.
- Reading other users' data, information, files, or programs on a display screen, as printed output, or via electronic means, without the owner's explicit permission.

- Knowingly transferring or allowing to be transferred to, from or within the agency, textual or graphical material commonly considered to be child pornography or obscene as defined in 45-8-201(2), MCA.

The State provided electronic mail (e-mail) system is to be used for: the conduct of state and local government business and delivery of government services; transmitting and sharing of information among governmental, research, and educational organizations; supporting open research and education in and between national and international research and instructional institutions; communicating and exchanging professional information; encouraging debate of issues in a specific field of expertise; applying for or administering grants or contracts; announcing requests for proposals and bids; announcing new services for use in research or instruction; and conducting other appropriate State business.

When sending composing and sending e-mail regarding students the following points must be remembered. Under state law e-mail communication is considered a "document" of public record under Article II, Section 9 of the Montana Constitution and under Section 2-6-101, MCA, and should be generated and maintained accordingly. All messages created, sent or retrieved, over the state's systems are the property of the State of Montana. Privacy of e-mail is not guaranteed. Employees should not have expectations of privacy for any messages.

Misuse of E-mail The following items represent, but are not restricted to, misuse of state e-mail resources:

- Circulating chain letters
- Using the state e-mail system for: 1) "for-profit" activities including solicitation for personal gain, 2) "non-profit" or public, professional or service organization activities that aren't related to an employee's job duties, or 3) for extensive use for private, recreational, or personal activities.
- Statewide distributions of e-mail. The system administrator should be contacted for correct procedures for large e-mail distributions.
- Using personal e-mail accounts, such as hotmail, outside of the state provided e-mail system unless an exception has been granted.
- Other misuse activities as referenced in policy ENT-SEC-081 User Responsibilities.

In drafting and sending e-mail messages, employees should not include anything they are not prepared for the public to read. Statements can potentially become a basis for litigation (e.g. sexual harassment comments) and/or civil or criminal liability. E-mail communication should resemble typical professional and respectful business correspondence.

Employees should check their mail with a frequency appropriate to their job duties and their departmental policy. If employees are unable to check their mail for an extended period of time, they should use the "auto reply" feature or make arrangements to have their mail picked up by someone else (supervisor, secretary, coworker) and reviewed to see if messages need a response.

Reporting and Disciplinary Action Users will cooperate with system administrator requests for information about computing activities; follow agency procedures and guidelines in handling diskettes and external files in order to maintain a secure, virus-free computing environment; follow agency procedures and guidelines for backing up data and making sure that critical data is saved to an appropriate location; and honor the Acceptable Use Policies of any non-State networks accessed.

Users will report unacceptable use and other security violations to their immediate supervisor, to local personnel responsible for local network policy enforcement, or to personnel responsible for the security and enforcement of network policies where the violation originated.

Misuse of the state's computer resources may result in an agency taking disciplinary action appropriate to the misuse, up to and including termination.

E-mail Correspondence Regarding Students Though the provisions of the Family Education Privacy Act may protect correspondence between teachers and staff regarding students, we should be mindful that the State provided electronic mail (e-mail) system is to be used for communicating and exchanging professional information. In drafting and sending e-mail messages, employees should not include anything they are not prepared for the public to read. Statements can potentially become a basis for litigation (e.g. sexual harassment comments) and/or civil or criminal liability. E-mail communication should resemble typical professional and respectful business correspondence. In light of state statute and rules, when sending e-mail messages regarding a student(s), faculty and staff must always copy the correspondence to the program director.

References ENT-NET-401; ENT-SEC-081; ARM 2.13.101 - 2.13.107; 2-17-501, MCA; 2-17-503, MCA; 2-17-302, MCA; Internet Services Policy; Computer Virus Detection and Prevention Policy; Transmission Policy

### Official Correspondence

1. No written correspondence of an official nature, on school letterhead, is to be made by any employee without the express consent of the Principal, Dean of Students or Business Manager. Official correspondence includes information or requests for information regarding students, letters to other agencies providing or requesting information or soliciting merchandise, and all other types of communication related to or for the benefit of the students or the school programs. This does not include regular or routine communication between staff and parents, which has prior approval from the program administrator or his/her designee.
2. To request permission to send a letter for official business, employees should submit a draft copy of the letter they wish to send to the program administrator. All official correspondence going outside of this agency will be typed and will be sent on official Montana School for the Deaf and the Blind stationery.
3. Each employee who signs correspondence is in effect representing the total program at MSDB. Extreme care must be exercised in not committing the School to a responsibility for which authority has not been given and in refraining from an expression of personal beliefs or opinions that are not necessarily held or supported by the administration of this agency.
4. Program administrators may have additional guidelines for corresponding with parents/guardians and school constituents. If you have any questions about any correspondence, talk with you program supervisor.

### Distribution of School Mail

1. Mail is delivered to the School's administrative office and is initially distributed by the business office staff. Education staff can pick up mail in boxes provided in the library media workroom. Cottage office staff may pick up mail in the boxes provided in Cottage Office. Although outside mail is not delivered on either Saturday or Sunday, interagency correspondence is distributed on a seven day a week basis.
2. All correspondence addressed to the Montana School for the Deaf and the Blind, or to a staff member, is considered official or business mail and will be opened unless marked "personal". This procedure has been checked and cleared with postal authorities. Exceptions to this rule will be mail addressed to students and all mail addressed to staff

members who live in the cottage. Their mail will not be opened but will be delivered directly to their mail box.

Staff members are directed to use their home mailing address for all personal correspondence.

#### Guidelines for Staff Use of Infirmary Services

The purpose of the MSDB Infirmary is to provide a professional level of medical triage, intervention and care for students who become ill or are injured while at MSDB. The Health Services staff will not be responsible for diagnosing or treating injury or illnesses of MSDB staff members. With the exception of first aid for injuries that occur while on duty, MSDB staff must seek treatment for any injury or illness by a personal physician or at a private or public medical facility. The employee must also notify Health Services staff of any work related injury.

With the permission of the Health Services Director, MSDB staff may have their blood pressure or pulse taken by Infirmary staff.

All injuries occurring during a scheduled shift, or any suspected work related occupational diseases, must be immediately reported by the staff member to his or her program supervisor. An "Accident – Injury Report" must be completed and submitted to the business office within 24 hour of the injury.

The Health Service's responsibility to staff members is to provide emergency and first aid care only. Staff members should seek medical treatment and/or advice for work related injuries or occupational diseases from a health care facility or personal physician. In cases where emergency care or first aid is dispensed by the Health Services, an "Accident – Injury Report" will be completed by Health Services staff. The Health Services staff will not be able to diagnose or provide treatment unless it is for heroic measures or minor first aid care.

#### Guidelines for Providing Medical Intervention to Staff in Emergency Situations

When there is a medical emergency involving an MSDB staff member, Health Services staff will provide emergency treatment and when necessary contact emergency medical personnel for assistance. As with guidelines for providing medical intervention for students, all emergency health care concerning MSDB staff is to be referred to the Health Services staff. Regardless of personnel training; only the Health Services staff may examine, assess, or treat staff while on duty. However, it is every staff member's responsibility to perform any heroic (life sustaining) technique to the best of his or her ability until Health Services staff or emergency medical personnel arrive.

#### Guidelines for Staff Use of Mustang Center

- 1) Access to the center is between the hours of 8:00 am and 10:00 pm on days when the campus is regularly open.
- 2) Upon leaving, lock all doors and turn off all lights in the area you were using. If you unlock a door you must lock it behind you.
- 3) All keys are to be checked out from the administration or cottage offices and must be returned by 10:00 pm on the day which they are checked out.
- 4) With the exception of "Family Night", access to the center is for staff members only. No one, including spouses, children, relatives or friends may accompany a staff member who is using the facilities.

- 5) You must contact the Athletic Director to arrange for an orientation session to the use of facilities and equipment before using the weight room.
- 6) Use of all equipment must be appropriate and in accordance with orientation instructions and posted guidelines.
- 7) You must immediately report all damage or problems with equipment or facilities to the principal or dean of students.

A staff member who violates any guidelines will not be allowed access to the center outside of their regularly scheduled work assignment.

#### Use of School Property for Posting Notices or Commercial Promotions of Goods and Services

Non-school related individuals or organizations may ask the building principal or dean of students permission:

1. To display posters in the area reserved for community posters; or
2. To have flyers distributed to staff, parents or students.

Posters and/or flyers subject to a request must be student oriented and have the sponsoring organization's name prominently displayed. Permission will be denied to post or distribute any material that would:

- 1) Disrupt the educational process;
- 2) Violate the rights of others;
- 3) Invade the privacy of others;
- 4) Infringe on a copyright;
- 5) Be obscene, vulgar, or indecent, or
- 6) Promote the sale of goods or services.

No commercial publication shall be posted or distributed unless the purpose is to further a school activity, such as graduation, class pictures, or class rings or to promote goods or services which have been approved by the State Department of Administration. No information from any candidates for non-student elective offices shall be posted in the school, or distributed to the students.

If permission is granted to distribute, the organization must arrange to have copies delivered to the school. Distribution of the material will be arranged by the administration.

Reference: COMMUNITY RELATIONS 4331

#### School Support Organizations and the MSDB Foundation

The Board recognizes that parent, teacher, student and community organizations and the MSDB Foundation, Inc. are an invaluable resource to the School and so supports their formation and vitality. While parent, teacher, student and community organizations and the MSDB Foundation have no administrative authority and cannot determine School policy, their suggestions and assistance are always welcome. Membership to school sponsored organizations must be open and unrestricted.

Booster clubs and/or special interest organizations may be formed to support and strengthen specific activities conducted within the school. All such groups must receive the approval of the school principal, Superintendent, and the Board in order to be recognized as a booster



organization. Staff participation, cooperation, and support are encouraged in such recognized organizations.

### Fund-Raising by School Support Groups

Fund-raising by school support groups is considered a usual and desirable part of the function of such groups. The specific fund-raising activities must be approved in advance by the principal.

The principal or dean of students must be consulted prior to any expenditure of such funds. All such funds raised by school sponsored groups are to be used for the direct or indirect support of school programs. Equipment purchased by support groups and donated to the schools becomes the property of the School and may be used or disposed of in accordance with School policy and state law.

Reference: COMMUNITY RELATIONS 4331

### Guidelines for Use of State Owned Vehicles

State employees with a valid driver's license, appropriate to the type of vehicle, may drive a state vehicle as part of their work assignment for the purposes of traveling and conducting business on behalf of the state. Employees must always have the license in his/her possession while operating a state-owned vehicle. Employees may park a state vehicle overnight at his/her residence if the employee must begin travel the next day or if the employee is subject to emergency response, on-call or other off-shift duties associated with employment. Employees on authorized, work-related overnight travel away from home may drive to a cultural, recreational, leisure activity or to conduct personal business if the activity is within 30 miles of the employee's lodging.

Only authorized passengers are allowed in state vehicles. Authorized passengers include state employees conducting business on behalf of the state, students enrolled at the school and non-state employees who are: independent contractors conducting business on behalf of the state, rendering assistance to a disabled state employee, a guest or client of the state if conducting or providing service that is a benefit to the business of the state. This includes parents/guardians of students served by MSDB if the purpose for transportation is connected to the business of the school or outreach program. Any exceptions must have prior written approval of the Risk Management and Tort Defense Division (RMTD).

Employees must immediately report to their supervisor, any traffic citations for a moving violation for which he/she has been cited while operating a state vehicle. Executive Order No. 9-70 requires the following action for speeding violations while driving a state vehicle:

- 1) First offense-notification to agency
- 2) Second Offense-official written reprimand with a copy placed in the personnel file
- 3) Third Offense-dismissal from state employment

A state employee required to drive as part of his/her duties must report any single driving infraction of 5 or more conviction points according to the schedule in 61-11-203, MCA, accumulated while driving a state vehicle or a personal vehicle for state business.

A non-probationary employee who has accumulated 12 or more conviction points while driving a state vehicle or a personal vehicle for state business over the most recent 36 months may not drive a state or personal vehicle for state business until having successfully completed a certified safe driver course approved by the RMDT and have received authorization to drive from the Superintendent and RMTD. State employees who have accumulated 15 or more

conviction points may not drive a state vehicle or personal vehicle for state business until the accumulated points total is less than 12 within the past 36 months.

A non-probationary employee who has accumulated 18 or more conviction points while driving a state vehicle or a personal vehicle for state business over the most recent 36 months may not drive a state or personal vehicle for state business until 2 years have passed during which time they have not accumulated any conviction points and have successfully completed a certified safe driver course approved by the RMDT and have received authorization to drive from the Superintendent and RMDT.

Authorized drivers are responsible for promptly paying all penalties following the court procedures established for contesting citations. The Superintendent has the authority to restrict employees otherwise authorized as drivers from using state vehicles when it knows they are unsafe drivers from means other than the accumulation of conviction points.

### Rules for Operating State-owned Vehicles

- Employees must operate state vehicles in compliance with all applicable state and local traffic regulations, Administrative Rules of Montana, Executive Orders and Agency policies. State employees shall drive in a careful and prudent manner so as not to unduly or unreasonably endanger the life, limb, property or rights of another person or pedestrian.
- No person under the influence of alcohol, illegal drugs, or is impaired by the proper or improper use of prescription drugs may drive a vehicle for state business. No person may have an alcoholic beverage container in a state-owned vehicle.
- Employees operating state vehicles shall be responsible for ensuring that all occupants of the vehicle use seat belts at all times and that children under 6 years of age, or 40 pounds are properly restrained in a child safety seat. Employees operating vehicles transporting students are responsible for ensuring that students are seated at all times. Students must be facing forward with arms, hands, legs, and feet inside the vehicle at all times.
- Employees will ensure that vehicles are returned to campus with no less than  $\frac{1}{4}$  tank of gas. If transporting of students makes a gas stop unsafe or impractical, employees shall notify his/her supervisor. MSDB staff who are operating vehicles transporting students are responsible to see that that vehicle interiors are returned to campus free of trash and any spills are appropriately cleaned.
- All vehicles must be checked out in advance from the school or cottage office.
- Employees will park vehicles in safe and appropriate locations and ensure that vehicles are locked and the windows are rolled up when unattended.
- Employees may not affix bumper stickers or other items, or alter state-owned vehicles in any manner.

Reference: ARM 2.6.201-2.6.210, Executive Order 9-70,  
NONINSTRUCTIONAL OPERATIONS 8121

### School-Owned Vehicle Emergencies

In the event of an accident or other emergency, the driver of any school-owned vehicle or bus shall follow the emergency procedures developed by the Superintendent. A copy of the "Procedures for Emergencies/Accidents" shall be located in each vehicle and bus. To ensure the success of such emergency procedures, each driver shall conduct an emergency evacuation drill within the first six (6) weeks of each school semester. MSDB shall conduct such other drills and procedures as may be necessary.

Reference: NONISTRUCTIONAL OPERATIONS 8122

### Guidelines for Use of Personal Cars for School Business

When travel related to work is necessary, all employees will use state-owned vehicles which can be signed out for use through the Administration and Cottage Offices. In specific limited cases employees may use their personal vehicles related to their work assignment during the duty day. In order to use a personal vehicle for work purposes the following conditions must be met:

- 1) Employees must have prior written approval from the program administrator before using their personal vehicle for work related purposes.
- 2) Employees must also maintain registration and liability insurance within the limits of state law.

Students may never be transported in a personal care unless the previously listed conditions have been met.

Mileage reimbursement for use of personal cars will be provided at the "State" rate only if:

- 1) the employee receives prior written approval to use his/her personal car for work related business.
- 2) the employee must drive between two or more work assignments during the duty day.
- 3) there are no state vehicles available for use at the time that transportation is necessary.

According to administrative rule, when a state vehicle is available and employee is given approval to use his/her personal car, the mileage reimbursement rate will be at a reduced "motor pool" rate.

Reference: NONISTRUCTIONAL OPERATIONS 8345  
FINANCIAL MANAGEMENT 7336

### Procedures for Payroll and Reporting Time Worked

Payrolls are prepared and submitted for payment on a bi-weekly basis. Paychecks are received after 12:00 p.m. every other Wednesday of the second week of a pay period. If you are unable to pick up your paycheck it will be held in the Administration office. If you are in the Education, General Services or Administration Programs or the Cottage Office if you are in the Student Services Program. Please pick up your checks on a timely basis. You may elect to receive your pay through direct deposit with your financial institution. For information on direct deposit, visit with the payroll clerk in the Administration Office. There are no provisions for advance payment of earnings.

## Guidelines for Completion of Timesheets

In order to ensure smooth processing of timesheets please observe the following requirements:

- To reduce the risk of error record your hours on the time sheet at the end of each day worked.
- At the end of the week, total the hours on your time sheet and record hours worked in the space provided.
- Place your time sheet in the Principal or Dean of Student's mailbox by 5:00 p.m. on each Friday immediately following the Wednesday you are paid.
- With the exception of personal illness, for any assigned time for which you are not present at work you must complete a "Request for Leave" form and have prior written approval from your program director.
- For contracted staff, any assigned days not worked will be deducted from the pay period in which they are to be worked unless a "Request for Leave" form has been submitted and approved by your program director prior to the ending date of the effected pay period.
- Before you request use of personal, sick or annual leave check the leave balance on your most recent paycheck stub to make certain you have enough leave to cover the time you are requesting.
- If your timesheet is in error, corrections must be made by Tuesday, noon. If corrections have not been made, your paycheck for the pay period will two weeks late.
- Timesheets that have been signed, approved and submitted for payment cannot be amended. Hours that you have worked but have failed to record during the time period worked cannot be paid.
- If you have any questions about how time is recorded, see the payroll clerk in the Administration Office before the Friday ending the pay period.

## Defining Exempt and Nonexempt Employees

Because of the nature of the different occupations at MSDB, some employee groups are exempt from the Fair Labor Standards Act while other employee groups are nonexempt.

### Definitions

Exempt positions – Job positions (titles) that are exempt from the Fair Labor Standards Practices Act for the purposes of administering overtime compensation, MOM 3-0211.

Non-exempt positions – Job positions (titles) that are not exempt from the Fair Labor Standards Practices Act for the purposes of administering overtime compensation, MOM 3-0210.

True hourly rate – The total salary for a contracted employee divided by the scheduled number of hours worked in a contract year.

Overtime – Time worked over 40 hours in a week.

(For Interpreters covered by the MEA-MFT collective bargaining agreement "Overtime" is defined as; Time worked over 8 hours in a day or over 40 hours in a week.)

Overtime pay – Money paid for every hour worked over 40 hours in a week.

Overtime pay for non-exempt employees is earned at a rate of 1 ½ times the employee's hourly rate or true hourly rate of pay. Overtime pay for exempt employees is earned at the employee's hourly rate or true hourly rate of pay.

(For Interpreters covered by the MEA-MFT collective bargaining agreement “Overtime Pay” is defined as; money paid for every hour worked over 8 hours in a day or over 40 hours in a week.)

Compensatory time – Leave time granted in lieu of overtime wages. Compensatory time for non-exempt employees is earned at a rate of 1 ½ hour for every hour worked over 40 in a week. Compensatory time for exempt employees is earned at a rate of 1 hour for every hour worked over 40 in a week.

Non-union – Job positions that are not represented by a collective bargaining agreement.

Reference: 29CFR 541; 2.21.1703 ARM; 2.21.1802-1803 ARM

#### Duty Day for Exempt Employees

The duty day for exempt employees is defined in the each program/department handbook with starting and ending times determined by the program administrator. Generally this constitutes a duty day that is 8 hours in length. Unless authorized by the immediate supervisor, the maximum time that can be recorded in one week is 40 hours. Hours worked over 40 in the first week of a pay period cannot be credited as hours worked in the second week of the pay period.

Scheduled days for all contracted exempt employees generally include the 185 school and PIR days. Additional contracted days are typically worked immediately before and after the days scheduled in the regular school calendar unless assigned differently by the Superintendent, Principal, Dean of Students or their designees. All days worked beyond those assigned must be approved by the program administrator by completing a “Request for Leave/School Related Duty” form which must be submitted at least (10) working days, or as soon as possible, prior to the date(s) of the additional work assignment. Only after approval has been granted may the employee work additional hours or days. If the request is not approved, compensation will not be made.

Reference: 2.21.1811-1813 ARM

#### Guidelines for Administration of Compensatory Time and Overtime Wages

All employees must receive, in advance, written approval from their supervisor or a designee to work beyond the hours scheduled, the regular duty day or days contracted which may result in overtime or the accrual of compensatory time. Approval must be obtained by completing a “Request for Leave/School Related Duty” form according to the procedures outlined under the section “Approval of Time Worked Outside the Regular Schedule or Contract”. The supervisor will then attach a copy of the form indicating approval or denial to the employee’s timesheet for the pay period in which the request was made and a copy will be returned to the employee.

When, because of work related circumstances beyond his or her control, an employee can not submit a written request 10 working days prior to the day that the overtime or compensatory time is to be earned, an e-mail detailing the request must be sent to the employee’s immediate supervisor on the day that the overtime work occurred and the “Request for Leave/School Related Duty” form must be completed and submitted to the supervisor on the next working day.

No compensation of any kind will be approved for time worked if it has not been approved in writing using this procedure.

To be accrued as exempt compensatory time, approved hours worked must be reported on a timesheet as directed by the administration.

Accrued compensatory time may be taken off by the employee at a mutually agreeable later date during the employee's regular working hours, if the use of the compensatory time does not unduly disrupt the operations of the School. Where the interest of the school requires the employee's attendance, the School's interest overrides the employee's interest to take compensatory time off. To use accrued compensatory "leave" time, employee is required to make a written request by completing a "Request for Leave" form according to the procedures outlined in the Personnel Handbook.

Non-exempt compensatory time must be earned/recorded in 1/10<sup>th</sup> hour increments by recording the actual time worked and used/deducted in ½ hour increments. Employees must request to use compensatory time following the proper procedures as outlined in the Personnel Handbook. The employee may receive approval to use compensatory time with written consent of the supervisor and when the request is in compliance with School policy and guidelines in program handbooks, and more specifically, when the request can be accommodated without harming the quality of the services to the School's students.

Non-exempt and exempt "paid" overtime is earned/recorded in 1/10<sup>th</sup> hour increments by recording the actual time worked.

Exempt-compensatory time must be earned/recorded in ½ hour increments and used/deducted in ½ hour increments.

When rounding compensatory time to be earned or used to the nearest ½ hour:

0-14 minutes = 0 hours  
 15-30 = ½ hour  
 31- 44 minutes = ¾ hour  
 45-60 minutes = 1 hour

Based on exempt/non-exempt, bargaining unit status and collective bargaining agreements compensation types, rates and limits have been established for the following five work groups:

#### 1. Non-union/Non-exempt

*Accounting Clerk, Payroll Clerk, Administrative Secretary, Education Secretary, Student Services Receptionist, Lifeguard*

Approved overtime compensation will be earned as compensatory time or pay pursuant to a pre-work agreement<sup>1</sup> for every hour worked over 40 hours in a week. An employee may accrue up to 40 hours of compensatory time. Hours accrued over 40 will be paid as overtime pay. An employee of this group may carry over a maximum of 40 hours of compensatory time earned into the next fiscal year. Compensatory time accrued beyond 40 hours will be paid out at the end of the fiscal year at the employee's hourly rate of pay. However, the employee may elect to cash out all earned compensatory time at the end of the fiscal year.

<sup>1</sup> 29 CFR § 553.23 Agreement or understanding prior to performance of work.

*General.* (1) As a condition for use of compensatory time in lieu of overtime payment in cash, section 7(o)(2)(A) of the Act requires an agreement or understanding reached prior to the performance of work. This can be accomplished pursuant to a collective bargaining agreement, a memorandum of understanding or any other agreement between the public agency and representatives of the employees. If the employees do not have a representative, compensatory time may be used in lieu of cash overtime compensation only if such an agreement or understanding has been arrived at between the public agency and the individual employee before the performance of work. No agreement or understanding is required with respect to employees hired prior to April 15, 1986, who do not have a representative, if the employer had a regular practice in effect on April 15, 1986, of granting compensatory time off in lieu of overtime pay. <http://ecfr.gpoaccess.gov/cgi/t/text/text-idx?c=ecfr;sid=7cf3e816fa74c03cf003f68e9877d120;rgn=div8;view=text;node=29%3A3.1.1.1.28.1.93.10;idno=29;cc=ecfr>

Upon termination an employee will cash out all compensatory time at his or her hourly rate of pay.

## 2. Non-union/Exempt

*Superintendent, Principal, Dean of Students, Business Manager, Supervising Teacher, Supervising Counselor, Director of Health Services, Maintenance Supervisor, School Psychologist, Physical Therapist, Occupational Therapist*

Approved overtime compensation will be earned as compensatory time for certain hour worked over 40 hours in a week. Compensatory time will be earned at the exempt rate of one hour earned/paid for every hour worked. There is unlimited accrual and carryover of compensatory time from year to year.

If the balance of accrued compensatory time exceeds 40 hours at any point in a contract year, at the supervisor's discretion, the supervisor may instruct the employee to take leave to reduce the balance, or reduce the hours or duty days of the employee to ensure that the employee does not hold a large balance of compensatory time.

An employee's supervisor determines whether hours worked by an exempt employee, which exceed 40 in a workweek, will be accrued as exempt compensatory time under these rules. Generally compensatory time will only be approved when circumstances beyond the employee's control require that employee remain at work or continue to perform tasks related to the position beyond the 40 hour work week. Compensatory time will also be approved when, upon the request of a program administrator, an employee accepts an additional assignment that requires the employee to work more than 40 hours in a week.

Upon termination, an exempt employee may not cash out accrued compensatory time.

If the employer requests a non-union/exempt employee to work additional hours or days, the employer may stipulate whether the compensation will be made in compensatory time or additional pay.

## 3. Union/Non-exempt (UFCW)

*Lead Houseparent, Cottage Life Attendant, Night Watch Attendant, Day Attendant, Cook/Baker, Food Service Worker, Maintenance Worker*

Approved overtime compensation will be earned as compensatory time or pay pursuant to the applicable collective bargaining agreement for every hour worked over 40 hours in a week. In accordance with the collective bargaining agreement, each employee will make an annual election stipulating whether he/she wishes to receive compensatory time or overtime pay for any overtime hours worked. An employee may accrue up to 120 hours of compensatory time which represents not more than 80 hours of actual hours. Compensatory time accrued over 120 will be paid at the employee's hourly rate of pay. An employee of this group may carry over a maximum of 120 hours of compensatory time into the next fiscal year. Compensatory time accrued beyond 120 hours will be paid out at the end of the fiscal year at the employee's hourly rate of pay.

Upon termination an employee will cash out all compensatory time at his or her hourly rate of pay.

#### 4. Union/Non-exempt (MEA-MFT)

*Teacher Assistant, LPN, Interpreter/Tutor*

Approved overtime compensation will be earned as compensatory time or pay at the employee's election for every hour worked over 40 hours in a week. In accordance with the collective bargaining agreement, each employee will make an election each pay period when overtime hours are accrued stipulating whether he/she wishes to receive compensatory time or overtime pay for any overtime hours worked during that pay period. An employee may accrue up to 40 hours of compensatory time which represents not more than 26.6 hours of actual hours. Compensatory time accrued over 40 will be paid at the employee's hourly rate of pay. An employee of this group may carry over a maximum of 40 hours of compensatory time into the next fiscal year. Compensatory time accrued beyond 40 hours will be paid out at the end of the fiscal year at the employee's hourly rate of pay.

Upon termination an employee will cash out all compensatory time at his or her hourly rate of pay.

##### *LPNs*

Additionally, in accordance with Article 9, Section F, LPNs will receive 2 hours of compensatory time for each 8 hour shift they serve "on-call." These compensatory hours earned for on-call status will be accrued with other compensatory time earned and be applied to the 40 hour maximum accrual.

##### *Interpreter/Tutor*

Interpreter/Tutors will receive overtime pay or compensatory time for any authorized time beyond 8 hours in a day or 40 hours in a week.

#### 5. Union/Exempt (MEA-MFT)

*Teacher, Outreach Consultant, Speech Language Pathologist, Orientation/Mobility Instructor, Audiologist, Counselor, Live-In Houseparent*

Approved additional hours or days compensation will be earned as compensatory time for certain approved hour worked over 40 hours in a week. Compensatory time when approved will be earned at the exempt rate of one hour earned/paid for approved hour worked. There is unlimited accrual and carryover of compensatory time from year to year.

If the balance of accrued compensatory time exceeds 40 hours at any point in a contract year, the supervisor may instruct the employee to take leave to reduce the balance, or reduce the hours or duty days of the employee to ensure that the employee does not hold a large balance of compensatory time.

An employee's supervisor determines whether hours worked by an exempt employee, which exceed 40 in a workweek, will be accrued as exempt compensatory time under these rules. Generally compensatory time will only be approved when circumstances beyond the employee's control require that employee remain at work or continue to perform tasks related to the position beyond the 40 hour work week. Compensatory time will also be approved when, upon the request of a program administrator, an employee accepts an additional assignment that requires the employee to work more than 40 hours in a week.

##### *Outreach Consultants*

Additionally, in accordance with Addendum B, Section 6 of the MEA-MFT Collective Bargaining Agreement, outreach consultants shall be provided a \$2,000 annual driving stipend. This stipend is provided to compensate consultants for the large amount of driving related to the position.



### Rules for Administering Compensatory Time for Exempt Employees

An exempt employee must obtain approval from his or her supervisor or designee, in advance to work hours which may result in the accrual of exempt compensatory time. Approval must be attained by completing a "Request for Leave/School Related Duty" form according to the procedures outlined in the Personnel Handbook. The supervisor will then attach a copy of the form indicating approval or denial to the employee's timesheet for the pay period in which the request was made and a copy will be returned to the employee.

When, because of work-related circumstances beyond his or her control, an employee can not submit a written request 10 working days prior to the day that compensatory time is to be earned, an e-mail detailing the request must be sent to the employee's immediate supervisor on the day that the overtime work occurred and the "Request for Leave/School Related Duty" form must be completed and submitted to the supervisor on the next working day.

To be accrued as exempt compensatory time, hours worked in excess of 40 in a workweek must be reported on a timesheet as directed by the administration. Exempt compensatory time shall be earned, recorded, and used in no less than one-half hour increments.

An employee's supervisor determines whether hours worked by an exempt employee, which exceed 40 in a workweek, will be accrued as exempt compensatory time under these rules. Approval of compensatory time will not normally include those hours worked outside of the regular duty day to accomplish any of the functions related to the tasks of the exempt, professional positions including; traveling or attending conferences or meetings, preparing lessons and instructional materials, making home visits, providing training, consultation, or presentations, or making contacts, appointments or writing reports. The supervisor may approve or deny the accrual of exempt compensatory time either before or after the hours are worked.

The supervisor may, at any time, prohibit the accumulation of exempt compensatory time until an employee's balance is reduced below 40 hours. An agency may adjust the schedule of an exempt employee within a workweek to avoid the accrual of compensatory time. An agency may require an exempt employee to take accrued exempt compensatory time off during any scheduled contract day.

To take time off, the employee is required to make a written request by completing a "Request for Leave" form according to the procedures outlined in the Personnel Handbook. Accrued exempt compensatory time may be taken off by the employee at a mutually agreeable later date during the employee's regular working hours, if the use of the compensatory time does not unduly disrupt the operations of the agency. Where the interest of the School requires the employee's attendance, the School's interest overrides the employee's interest to take exempt compensatory time off. An agency may require an exempt employee to take accrued exempt compensatory time off during any workweek.

A maximum of 40 hours of exempt compensatory time may be carried over from one contract year to the next. A determination of excess exempt compensatory time will be made as of the end of the first pay period which extends into the next contract year. The employee must take off all excess compensatory time during the first 90 days of the next contract year or forfeit the excess hours, except when the department head or designee extends the forfeiture deadline. Any extension must be made in writing not later than June 1 each year. The length of this extension is up to the discretion of the department head or designee, not to exceed December 31 each year. Any excess compensatory time not taken by December 31 is forfeited.

There shall be no lump sum cash compensation for accrued exempt compensatory time upon transfer or at the date of termination. Agencies are under no obligation to extend an employee's termination date to allow an exempt employee to take off accrued exempt compensatory time upon termination. The superintendent or designee may approve the use of exempt compensatory time to extend an employee's termination date up to a maximum of 40 hours. Such extension may be approved when the superintendent or designee determines that:

- a. compensatory time was accrued upon management's request in order to complete projects or meet objectives, or
- b. the employee has been denied reasonable opportunity to take off accrued exempt compensatory time.

Reference: MOM 3-0210; MOM 3-0211; 2.21.1711-1713 ARM; 2.21.1811 ARM

### Guidelines for Reporting Employee Absences

If an employee is ill or not able to be at work as scheduled, they must notify their program administrator or his/her designee, as soon as they become aware of the situation, by following reporting procedures developed for each program. Failure to notify administration when not reporting to work may lead to disciplinary action. It is also the employee's responsibility to inform the administration as to when they plan or will be able to return to work. Completion of a "Leave Request/School Related Duty" form is not required for an unplanned absence due to illness.

All planned absences require completion of the "Leave Request/School Related Duty" form which must be signed by the immediate supervisor. This includes all planned medical absences.

### Recording and Using Sick Leave

The accrual of sick leave is calculated based on hours the employee is in a pay status and may be used according to the policies established in 2-18-618, MCA and MOM 3-0310. Sick leave credits used must be recorded to the nearest one-half hour when fractions of hours are used.

An employee's immediate supervisor or designee may require medical certification to confirm the appropriate use of sick leave. The medical certification must be provided by a licensed physician or another licensed health care provider competent to treat and diagnose the particular illness or condition.

Planned use of sick leave to attend a medical appointment, to receive medical care or to provide care for an immediate family member requires prior written approval from the employee's program administrator or designee by completing a "Leave Request/School Related Duty" form. The School may require a statement from a licensed physician or another licensed health care provider to confirm that an employee needs sick leave to attend to an immediate family member or another relative.

An employee may use sick leave credits for:

- (a) time off when an employee is unable to perform job duties because of physical or mental illness, injury or disability;
- (b) maternity-related disability, including prenatal care, birth, miscarriage, abortion, or other medical care for either employee or child;
- (c) parental leave as provided in 2-18-606, MCA;
- (d) quarantine resulting from exposure to contagious disease;
- (e) examination or treatment by a licensed health care provider;

- (f) short-term attendance to an immediate family member or, at the School's discretion, another relative due to physical or mental illness, injury, disability, or examination or treatment until other care can reasonably be obtained;
- (g) necessary care of a spouse, child, or parent with a serious health condition, as defined in the Family and Medical Leave Act of 1993;
- (h) death or funeral attendance of an immediate family member or, at the School's discretion, another person.

Note: If a nonexempt employee is scheduled to work on a day when a holiday is observed, but is absent due to illness, the employee may request sick leave for the hours scheduled to work that exceed the holiday pay benefit provided in the Holiday Policy. An agency may deny this request if it would result in the accrual of compensatory time or overtime.

Reference: MOM 3-0310; 2-18-606, MCA; 2-18-618, MCA

### Leave without Pay Status

A leave of absence without pay (LWOP) may be granted at the employer's discretion for good and sufficient reason upon the written request of the employee. The request shall state the purpose and length of the desired leave. To request to enter LWOP status the employee must complete and submit a "Request for Leave/School Related Duty" form 10 working days in advance of the first day of desired leave. The request must be approved by the program administrator or designee before an employee is allowed to go LWOP. Further the employee must have first exhausted all accumulated annual, personal leave, banked holiday and/or banked compensatory time. Only then will the employee be allowed to enter LWOP status.

When an employee is in LWOP status there is no state contribution or deductions made for benefits including medical insurance or automatic deductions including union dues. It is then the employee's responsibility to contact the State Personnel Division, Employee Benefits Bureau regarding insurance deductions. Failure to do so could result in termination insurance coverage.

In the event that an unplanned illness puts an employee into LWOP status, because all leave has been exhausted and the employee does not have enough sick leave banked to cover the absence, a "Request for Leave/School Related Duty" form must be completed and submitted to the program administrator or designee immediately upon return to work.

Reference: MOM 3-0330

### Procedure for Compensation for Attendance at Conferences

Professional Development opportunities, through attendance at conferences and workshops, have an associated cost. When training at conferences and workshops support the goals of the school, and when prior written approval has been given from a program administrator or supervisor, the school may reimburse the employee for lodging, travel and per diem. The staff member contributes to the effort by attending, learning, sharing new information with the staff and, sometimes, contributing some of their personal time to this effort.

If an employee is directed by a program administrator to attend a conference or workshop outside of the regularly scheduled duty day or contracted day, the employee will be compensated according to the Guidelines for Administration of Compensatory Time and Overtime contained in the Personnel Handbook.

When requesting Foundation or State funds to attend a conference, you need to include in your request the following information. Requests that fail to include the information below will be returned to you to complete. All of the items below (if applicable) need to be on a Request for Expenditure of Funds and submitted to a program administrator for approval. The Business Office will need the approved request at least two weeks in advance of the planned conference or workshop.

1. MEALS: Reimbursement rates are as follows. You do not need to bring back meal receipts.

<u>ITEM</u>	<u>IN-STATE</u>	<u>OUT-OF-STATE</u>
Breakfast	\$5.00	\$6.00
Lunch	\$6.00	\$6.00
Dinner	\$12.00	\$16.00

To claim reimbursement your travel-time or stay outside of Great Falls must be greater than 3 hours, and at least 3 hours within each of the ranges below:

Breakfast—12:01 a.m. to 10:00 a.m.

Lunch—10:01 a.m. to 3:00 p.m.

Dinner—3:01 p.m. to 12:00 midnight

If you need a travel advance from the Foundation you need to have your request in at least two weeks prior to when you need the check.

Any meals covered in the registration fee will not be reimbursed.

2. LODGING: Reimbursement rate including lodging tax is \$36.40. You need to check with the motel/hotel when making your reservations and ask for their state rate. The Foundation will pay the actual cost of lodging, including tax, but you need to check motels/hotels in the area for the cheapest rate possible. When you get the price of the hotel be sure you get the total amount per night including all taxes and other charges. They generally will only quote the base room cost. Check with the motel/hotel to see if they will take a purchase order. You need to indicate on your request whether a purchase order is or is not acceptable. You must turn in your lodging receipt to the business office in order to be reimbursed. No reimbursement will be made without a receipt.
3. CONFERENCE REGISTRATION: Make sure your request includes registration fees if applicable. You need to include in your request the vendor the fee is payable to, their complete mailing address and phone number, and whether a purchase order is acceptable. If a check is required, you need to make sure you give the office staff at least two weeks notice. Make sure you complete the registration form to be sent with either a purchase order or check. Office staff will not complete the registration form for you.
4. TRANSPORTATION: You will need to check out a school vehicle from Bonnie DeNoma if you will be using one.  
If you have been approved to fly to a conference, you will need to make flight reservations. The cost of the flight needs to be on your travel request. You will need to find the cheapest flight available.  
DO NOT make the reservation until your entire conference package has been approved. The school has used Morris Travel in the past and they require a credit card. This will need to be obtained from the office. If a no-cost shuttle is not available from the airport to your motel you need to include the cost of a cab to and from the airport. Please check with the hotel/motel you are staying at to see if they operate a shuttle to the airport and the times it operates. No transportation fees will be reimbursed without a receipt.

Reference: 2.21.3103 ARM; 3-0521 MOM

Request for Leave/School Related Duty

### Guidelines for School Employees who Provide Consulting Services

School personnel may serve as private consultants during non-duty days or hours. The Superintendent shall be provided advance written notification of consulting agreements.

Any outside employment must not present a conflict of interest or prevent the employee from performing his/her assigned duties, and must be done during off-duty hours. It will be considered a conflict of interest for employees of MSDB to privately contract services with any school district, local education agency or parent who would otherwise be entitled to the services of MSDB. It will also be considered a conflict of interest for employees of MSDB to privately contract services with any education or childhood services agency, to provide consultative services for a child who would otherwise be entitled to the services of the Montana School for the Deaf and the Blind. Employees found to be in violation of this policy will face disciplinary action, up to and including termination.

In the event a staff member is required to be absent from their regular assigned duties to fulfill their consulting contract, prior approval for their absence must be obtained from the Superintendent by completing the "Request for Leave/School Related Duty" and annual or personal leave will be charged for the time absent. If the employee does not have sufficient annual or personal leave balances to cover the absence, leave without pay will be charged.

Reference: PERSONNEL 5143

### Answering Subpoenas

Employees of MSDB may confer for up to, but not more than, one hour with a party/parties who have a legal right to confidential information, in cases of a civil action in which MSDB is not a party. Employees must notify the Superintendent whenever such conferences have occurred. It is the responsibility of the MSDB employee to inform interested parties that a subpoena will be required for any conference time beyond one hour and that the interested party will be responsible for compensation to MSDB for regular pay and benefits paid to the employee for time spent answering the subpoena as provided by MCA 26.2.515. Employees found to be in violation of this policy will face disciplinary action, up to and including termination.

Reference: PERSONNEL 5144

### Work Schedules and Responsibilities for School Closures

Superintendent Only the Superintendent shall have the authority to close schools. The Superintendent will be on duty throughout any existing or potential emergency situation, day or night. All orders which are of doubtful origin should be confirmed with the Superintendent.

Administrative and General Service Program Personnel Administrative and general service program personnel shall be expected to report for duty on their assigned shifts in the event of any school closure insofar as is safely possible. Additional hours may be required, especially of the maintenance supervisor, and business manager, depending on the nature of the emergency. If it is absolutely impossible for an administrator to report for duty, the administrator may take the day as a personal leave day or vacation day with the permission of the Superintendent. The program administrators shall ascertain that all buildings have been adequately secured and that any child who mistakenly reports to school (in the event that school has been closed) is properly and safely cared for and returned home. The administrator and this minimal support staff shall notify other staff and/or other support employees of the situation and shall respond to telephone questions. When the situation has been stabilized, the personnel who reported to work may choose to return home. An employee who does not work

a normal day shall then adjust his/her work year, by memorandum to the Superintendent, by the number of hours not worked on the day or days of school closure.

If a classified employee is unable to or does not report for duty, the employee shall complete a leave request form to declare the day as either personal leave, vacation, or leave without pay.

Student Services Program Personnel In the event that a school closure occurs when students are in residence, cottage life attendants, counselors, food Service workers and health service workers must, insofar as is safely possible, report to work as scheduled, or as directed by their immediate supervisor. If a classified or contracted employee is unable to or does not report for duty, the employee shall complete a leave request form to declare the day as either personal leave, vacation, or leave without pay.

Education Program Personnel If schools are closed for weather or other emergency conditions, teachers, teacher assistants, interpreters, librarians and support staff are not expected to report for duty unless directed otherwise. Education staff will need to submit a leave request form. On days when education staff are unable to report to work they must complete a leave request form and record time as "other." In cases of school closures, it is customary for the days to be made up at another time; thus contracted education staff will typically still fulfill their contract days.

Reference: INSTRUCTION 5323

### Insurance Coverage and Premiums

All employees receive an employer contribution for coverage for major medical insurance. Optional eye, dental, and life insurance is available under a group plan. For staff who join the group, the insurance premiums are deducted from payroll earnings. Depending upon coverage selected, there may be some "out-of-pocket" costs for the employee. Application must be made within 31 days of employment, otherwise, a health examination is required. For employees who elect not to receive insurance, the employer share of the premium will not be credited to the employee as pay.

Mandatory payroll deductions include:

- 1) Federal and State Income Tax
- 2) FICA (Social Security)
- 3) PERS/TRS (Retirement)
- 4) SUT (State Unemployment Tax)

Optional deductions include:

- 1) Out-of-Pocket Medical/Dental Insurance Premiums
- 2) Life Insurance (AD&D)
- 3) Bonds & Credit Union
- 4) Supplemental Accident Insurance (AFLAC)
- 5) Annuities
- 6) United Way

### Rules for Continuation of Insurance Coverage when on Approved Leave of Absence

It is the practice for the Montana School for the Deaf and the Blind to pay, through the summer, the employer contribution for insurance benefits for those employees who return to work the following school term. If an employee voluntarily terminates employment before the first work day of the new school year he/she must reimburse the school for the employee portion of any premium which has been paid to maintain coverage while the employee was not working.



“Coverage of an enrolled employee (and his or her dependents) ends at 12:00 midnight on the last day of the month or pay period in which one of the following occurs:

- The employee’s state employment terminates or the employee, otherwise cease to be eligible under the State Employee Benefit Plan.
- Premium due is not paid.
- The State Plan terminates.

It is essential that the employee pay all out-of-pocket costs according to the payment schedule determined by the payroll and accounting office in Helena and/or as agreed to under the conditions of a collective bargaining agreement.

An employee enrolled in a Flexible Spending Account may continue the account by paying elected FSA amounts in advance of the final pay check(s) to receive a tax advantage for a leave of known duration, by paying on an “after tax” basis at the beginning of each month, or through a combination of these methods. If payments cease, the account becomes inactive allowing only those funds accumulated before payment ended to be used for reimbursement of eligible expenses incurred before payment ended.

#### Rules for Application and Use of Leave and Medical Insurance Coverage Under the Family Medical Leave Act (FMLA)

The Family Medical Leave Act of 1993 (FMLA) entitles eligible employees up to 12 weeks of unpaid, job-protected leave in a 12 month period for the following reasons:

- Birth of a son or daughter and to care for the newborn child;
- Placement with the employee of a child for adoption or foster care and to care for the child;
- Care for an employee’s spouse, son, daughter, or parent with a serious health condition; and
- Because of a serious health condition that makes an employee unable to perform the essential functions of his or her job.

A state employee must have worked for the State of Montana for a total of 12 months and at least 1,040 hours during the previous 12 months to qualify for FMLA leave.

During the 12 week period the employee is covered under the FMLA the State will continue to pay the employer’s State share for Core insurance benefits. The employee will continue to be responsible for any out-of-pocket costs associated with these benefits.

An employee enrolled in the State medical insurance plan, who is on an approved leave of absence without pay, may continue Core benefits only or has the option of also continuing any or all optional benefits in effect before the leave for a period of up to 12 months. The employee will be responsible for paying the entire monthly premium except for months of leave for which State contribution is required by the FMLA, which provides up to 12 weeks of State contribution for eligible members and dependants.

All coverage ends when the premium due is not paid except that an employee on FMLA leave may continue coverage for the period of FMLA leave without making premium payments by signing a payment agreement to have missing premium deducted from his/her first pay check or checks upon return to work.

When coverage under this leave of absence provision ends, the employee and/or covered dependents may elect to continue medical and dental coverage under COBRA.

### Procedure of Application, Approval and Use of the "Sick Leave Direct Grant" Program

The "Sick Leave Direct Grant" program is established to provide qualifying employees with additional sick leave if they suffer from an "extensive" illness or injury, and are unable to return to work for an extensive period of time. The direct grant program operates by allowing fellow employees to voluntarily donate some of their accrued sick leave hours to the employee who has made the request for assistance.

To qualify for the Direct Grant, certain criteria must first be met:

1. An employee must be otherwise eligible to use sick leave. An application must be made by contacting the Administration Office.
2. An employee must have an "extensive illness or injury" which results in an anticipated absence from work of no less than 10 consecutive working days.
3. An employee must exhaust all accrued personal, annual, holiday, sick and other accrued paid leave and compensatory time, and then must take 20 consecutive hours of leave of absence without pay following the exhaustion of all accrued leave and compensatory time.
4. An employee must receive an approved medical leave from their program administrator by completing a "Request for Leave" form. If an employee is incapacitated and unable to apply for a leave of absence or the direct grant program another person may do so for the employee.
5. An employee must provide written certification from a physician that the illness or injury is "extensive," specifically that the employee will not be able to return to work for a period of at least 10 consecutive working days.
6. The Superintendent must approve the application for participation in the Sick Leave Grant Program. There is "no guarantee that receipt of sick leave shall be approved in any specific case by the agency head" 2.21.814, ARM.
7. An employee cannot receive more hours than which is allowed by state policy. For a full time employee that maximum allowed in a 12-month period would be 160.0 hours. If less than full time, the number of hours would be pro-rated.
8. A Direct Grant may run concurrently with Family Medical Leave. An employee is not eligible for a direct grant if the employee is eligible for workers' compensation benefits. Refer to 2.21.804, ARM for prohibited use of the Sick Leave Grant.
9. In addition an employee may request a grant for the direct grant program to provide necessary care of, or attendance of an immediate family member...until other attendance can reasonably be obtained. The employee must meet all other eligibility requirements as established in 2.21.814, ARM.

Reference: Montana Operations Manual 3-03-11, 2.21.801-2.21.822, ARM

## Retirement Benefits

Depending on the position held, MSDB provides the employer contribution to the Montana Teachers Retirement or the Public Employees Retirement System for all employees of the school. Retirement Benefits Handbooks are available in the Administration Office.

## Letters of Intent and Work Assignments

Letters of intent are distributed to all of the staff during the last month of school.

Those members of the staff who are not planning to return should submit a written resignation to their program administrator prior to the last day of school. Any employee who makes a decision to resign during the summer months should contact their program administrator or the Superintendent as soon as possible to provide time to seek out a suitable new employee for the vacated position.

Work assignments might vary from year to year or within a given school year depending on the mandates of the various departments within programs or the benefit of the program as a whole. The Principal, Dean of Students and Business Manager have the authority to change work assignments as deemed necessary. Every effort will be made to provide considerate and adequate notification prior to a necessary change.

## Request for Advancement of Salary Based on Completion of College Coursework for Contracted Exempt Staff Who are Certified or Licensed

For the purposes of salary advancement according to bargaining unit contract language, all credits must have prior approval from the administration before an employee takes a course. Prior approval is necessary to assure receipt of salary credit for the following year. (See Addendum B - Rules for Administering Teachers Salaries - Section 5.) To be recognized, credits must be at the graduate level and must pertain to your assigned area of employment, i.e. deaf, blind, special education, elementary, secondary, math, science education, etc.

If you are planning to advance on the salary matrix for the coming school year you must have earned 10 graduate semester credits, or the equivalent since you earned your BA, or BA+10, or MA, MA+10, or MA+20. If you are planning to take enroll in a graduate program which will be used for advancement on the salary matrix the same contract language applies.

Beginning this school year we will ask you to provide this information by completing a form which will be kept on file in the office. The form will document your request and administration approval and will be available in the main office. The purpose for request, approval and documentation is to assist the administration in program planning and budgeting.

To receive approval for coursework the following information must be supplied by completing the following form. The form must be returned to the personnel staff in administration office no later than June 1<sup>st</sup> and coursework must be completed by August 15<sup>th</sup> to receive approval of coursework for advancement in salary for the next school year.

# Plan of Study to be Approved for Salary Advancement

Name: \_\_\_\_\_ Date: \_\_\_\_\_

Highest Degree: \_\_\_\_\_ Date Conferred: \_\_\_\_\_

Earned to Date: \_\_\_\_\_

Name of College or University: \_\_\_\_\_

Number of credits currently completed beyond highest degree earned: \_\_\_\_\_

For each class taken when you are requesting advancement in salary please provide the following information –

Course Name: \_\_\_\_\_

Catalog Number: \_\_\_\_\_ Number of Credits: \_\_\_\_\_

Name of College or University: \_\_\_\_\_

Complete the following information when requesting approval for advancement in salary upon completion of a state approved program of study :

Name of program: \_\_\_\_\_

Degree Title to be Earned: \_\_\_\_\_

Name of College or University: \_\_\_\_\_

Start Date for Program: \_\_\_\_\_ Estimated Date of Completion: \_\_\_\_\_

Total Number of Credits to be Earned: \_\_\_\_\_

Plan Reviewed By: \_\_\_\_\_ Date: \_\_\_\_\_

Title

Administrative Approval: Yes \_\_\_\_\_ No: \_\_\_\_\_

If not approved – state reason(s): \_\_\_\_\_

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## Procedure for Request of Expenditure of Funds

All requests for expenditure of funds must be submitted to the program administrator, either Bill Davis – Education; Jim Kelly – Student Services; or Bill Sykes – Administration. To request funds you must complete a “Request for Expenditure of Funds” form being sure to include all information called for including a detailed description of the request and justification as the purchase relates to the goals of MSDB and the mission of the MSDB Foundation or the strategic plan. Complete information must be supplied about the vendor, addresses and phone numbers, catalog or order numbers, unit cost, total cost and shipping.

If the request is related to in-service training you must also complete an “In-Service Training Request” form which will help provide an itemized breakdown of the estimated costs and ensure that all expenses are accounted for before the request is considered.

Upon submission, the program director will either approve or disapprove the request. In some cases the administrative team will consider requests. For any requests where MSDB Foundation funds are considered, requests must meet the mission of the Foundation which is “to benefit children and youths with vision or hearing impairments who are students of, or served by, MSDB”. Requests must be made at least two (2) weeks prior to the date that a purchase is to be made or an order is to be processed. If, after consideration, your request is approved you will receive a signed copy with instructions from your program director on how to proceed. If your request is denied, you will be contacted by your program director as to the reason for the denial. If the “Request for Expenditure of Funds” and/or “In-Service Training Request” form is incomplete it will be returned and you will be asked to provide more information before your request will be considered.

For requests up to \$80 a cash slip will be issued. Receipts must be collected and turned in immediately for all purchases made. For larger requests either a check or a purchase order will be issued. You are responsible for obtaining and turning in receipts for all purchase made. If you fail to collect or turn in receipts you will not be granted future requests.

## Personal Reimbursements

The purchase of all materials and services, necessary for the operation of School programs, is to be made through the established purchasing procedures of the School. There are times, however when there is a need for an employee to make a purchase for the benefit of the School from his or her personal funds. Employees will be reimbursed for program related purchases only under the following conditions:

1. The purchase must benefit the school.
2. The purchase must have prior written approval from the program administrator.
3. The item purchased was not available at the school.
4. The claim for reimbursement by completing a “MSDB Request for Expenditure of Funds” in advance of the purchase and providing a dated invoice/receipt.

Reference: FINANCIAL MANAGEMENT 7335

**MSDB**  
**Request for Expenditure of Funds**

## **Policies, Procedures and Guidelines For Facilities and Security on Campus**

### Montana School for the Deaf and the Blind Safety

The Montana Board of Public Education recognizes that safety and health standards should be incorporated into all aspects of the operation of the Montana School for the Deaf and the Blind. Rules for safety and prevention of accidents shall be posted in compliance with Occupational Safety and Health Act (OSHA) requirements. Staff must report all injuries and accidents immediately to the Education secretary, Cottage or Administration Office.

The Principal, Dean of Students and Business Manager have developed a plan of fire, civil defense, tornado and earthquake warning, protection and evacuation for MSDB and for each building. There will be at least eight (8) disaster drills a year, four (4) of which shall be fire drills. The drills will be held at different hours of the day or evening to avoid distinction between drills and actual disasters. Staff are to respond to all emergencies by following appropriate procedures for each type of emergency or disaster as outlined in the "Emergency Action Manual" located in each classroom, living and activity area, and office.

Reference: NONINSTRUCTIONAL OPERATIONS 8300, 8301, 8310

### Campus Security

Security means not only maintenance of buildings, but also protection from fire hazards and faulty equipment, and safe practices in the use of electrical, plumbing, and heating equipment. The Board requires close cooperation with local police, fire, and sheriff's departments and with insurance company inspectors. Security also means ensuring the protection of students, faculty and staff from the threat of intruders or unauthorized persons in the school buildings or on the campus grounds at any time.

The Superintendent shall develop and implement a procedure for the control of access to school buildings and grounds during all hours of operations. Access to the academic buildings, the Mustang Center and grounds outside of regular school hours shall be limited to staff whose work requires access. Access to the residential buildings during the late evening and nighttime hours shall be limited to staff whose work requires such access. An adequate key control system shall be established, which shall limit access to buildings to authorized staff and shall safeguard against the potential entry of unauthorized persons.

MSDB maintains a locked door policy, as the doors to the school buildings, Mustang Center and cottages will remain locked throughout the day except for single points of entry to each building which are within site of administrative offices. With the exception of activities or events, all visitors must register in the main school or cottage office prior to visiting any building or area of campus.

Locks and other protective devices designed to be used as safeguards against illegal entry and vandalism shall be installed when appropriate to the individual situation. Nightwatch attendants will be employed in each residential building during late evening and nighttime hours whenever students are in residence. Employment of watchmen may be approved in situations where special risks are involved. All incidents of vandalism and burglary shall be reported to the Superintendent immediately and to law enforcement agencies as appropriate.

Records and funds shall be kept in a safe place and under lock and key when required.

Reference: SCHOOL FACILITIES 9320

## Procedure for the Control of Access to School Buildings and Grounds

Each building will have a designated single point of entry. This entry is to be used by all students, staff and visitors during hours of operation.

Securing of Doors and Issuing Keys Keys will be issued for buildings to employees for purposes related to their work. All doors with the exception of those specified as single points-of-entry, are to remain locked at all times. If an employee unlocks a door for any reason, he or she must lock the door immediately behind himself or herself. Doors may never be propped open and security bars must remain in place after regular school hours. Security systems may never be tampered with, left unsecured or disarmed. Doing so may be cause for immediate termination.

Keys will be issued for specific buildings based on the following criteria:

1. The employee has a work assignment in a specific building on a regularly scheduled basis.
2. The employee must have access to a specific building in the event of an emergency.
3. The employee must have access to a specific building to perform required maintenance.
4. The employee must sign for each key issued and is responsible for its safekeeping and care should be taken to keep them secure at all times. If work keys are lost an immediate report should be made to the Principal or Dean of Students. The employee may be responsible for costs associated with the rekeying of building(s) if his or her key is lost.
5. Staff may not lend keys to any student at any time. All keys are to be turned in at the close of school on check out day unless prior written approval has been given by the Principal or Dean of Students to the Administration Office. Under no circumstances should a staff member have any key from the cottage or school duplicated.

Reference: SCHOOL FACILITIES 9320P

## Disaster Drills and Emergency Evacuation

Disaster drills will occur on a regular basis. When possible staff will be notified in advance of a drill. ALL ALARMS ARE TO BE TREATED AS BEING REAL AND TOTAL EVACUATION IS ALWAYS NECESSARY - REGARDLESS IF THE ALARM IS KNOWN BY YOU TO BE FALSE.

The principal and/or dean of students shall be responsible for organizing and conducting such emergency evacuation drills as are necessary and shall objectively evaluate the activity following each such drill. The principal and/or dean of student's office shall instruct staff including teachers, assistants, secretaries, cottage life attendants, food services workers and maintenance workers as to their respective responsibilities in an evacuation exercise.

Appropriate procedures for disaster drills will be discussed with students at the beginning of the school year by all teachers and cottage life attendants. Evacuation routes and procedures will be posted in a conspicuous place near the exit door of every classroom, conference room, living area, activity room and gymnasium.

An "Emergency Response Manual" outlining procedures which address general emergencies, natural and human caused disasters or disturbances will be reviewed with all faculty and staff at the beginning of the school year. Copies of the manual will be maintained in each classroom and living area and drills for room clear, shelter in place, lockdown and evacuation procedures will be conducted quarterly.



Emergency Closures Superintendent will establish procedures for the emergency closure of a building or a program. The principal and dean of students shall establish emergency evacuation procedures for each of the buildings in their programs.

When an emergency on campus or within a building threatens the safety and well being of students, and/or interferes in the normal operation of the school necessitating total or partial closure of the campus, the following procedure will be followed:

- a) The report of an emergency shall be directed to the Superintendent, principal or dean of students office.
- b) If the nature of the emergency calls for immediate action on the part of the principal, dean of student or supervisor, he/she will take necessary action following procedures outlined in the "Emergency Action Manual" and immediately report such action to the Superintendent. Staff will be directed by their program administrator as to what action they are to take, beyond those outlined in the "Emergency Action Manual."

When appropriate the Superintendent's office shall contact local fire and/or law enforcement agencies.

Reference: NONISTRUCTIONAL OPEATIONS 8310

#### Procedures for School Closure

All students, parents, and school employees should assume that school will be in session and buses running as scheduled, unless there is official notification from the Superintendent to the contrary. Such notice will be given via public media.

In the event that extremely cold temperatures, wind chill factors, snow, wind, or other emergency or circumstances require a modification of the normal routine, the Superintendent will make the modification decision prior to 6:00 a.m. and contact the public radio stations for broadcast to the community and will initiate the emergency fan-out communication procedure to all administrators and program supervisors.

In the event that a school closure occurs when students are in residence, a determination by the Superintendent and the dean of students as to whether students will be sent home based on the nature and length of the closure. Parents of residential students will be contacted if the closure necessitates moving the students from the residential facilities or sending them home.

Reference: INSTRUCTION 2221

#### Visitors to the School And Residential Facilities

MSDB encourages visits by parents, guardians, Board members, and community members to all campus facilities. With the exception of parents or guardians, all visitors and persons doing business with the school shall report to the administration office in Bitterroot Hall or the Dean of Student's office in Yellowstone Hall when coming on campus. Entrance to all buildings will be made through clearly marked, central points of access. Sign-in procedures will require all visitors to state their name, purpose of the visit, location on campus, and estimated length of stay. All visitors will be required to wear visitor identification.

All visitors will be required to sign-out at the end of the visit or after completing business. When a staff person sees someone on campus whom they do not know to be a parent or guardian they are to direct the individual to either the Administration or Cottage Offices.

Visitors to the Education Program To ensure that teachers are able to carry out instruction without interference, visitors to the classrooms will be limited to parents and members of the students' IEP team. At the discretion of the principal, other individuals may be allowed to visit in classrooms.

Visitors to the Residential Program All individuals visiting in the residential facilities, who are not members of the faculty or staff of MSDB or students of MSDB, Great Falls High, East Middle School or Lewis and Clark Elementary, must have authorization by a parent or guardian, of a specific student to visit with that student.

The administration may deny access of visitors to students or any campus facilities if it is believed the safety or welfare of students may be in jeopardy.

Reference: COMMUNITY RELATIONS 4301

### Dangerous Person on Campus

The Superintendent shall establish procedures for action in the event that dangerous person(s) are identified on the grounds or in the buildings on campus. Steps outlined in the "Emergency Response Manual" will be taken to address the threat.

- a) Staff who have become aware of the danger will immediately move students to the closest safe area and contact the administration office sending a voice or text message through the safest and most expedient means possible, ie; in person, via phone/TTY or e-mail.
- b) Staff will account for all students keeping them together and follow emergency instructions from the administration.
- c) Program administrator/supervisors will send a pre-arranged message via phone/TTY alerting faculty and staff of the danger.
- d) Administrators/supervisors will lock all exterior doors and contact law enforcement.
- e) Staff will shelter students in place until they are directed by a program administrator or supervisor that the campus is clear.

Reference: NONINSTRUCTIONAL OPERATIONS 8302

### Disruption of School Operations

If any person disrupts or obstructs any school program, activity, or meeting, or threatens to do so, or commits, threatens to imminently commit, or incites another to commit any act that will disturb or interfere with or obstruct any lawful task, function, process, or procedure of any student, official, employee, or invitee of MSDB, the staff member in charge shall immediately notify the principal, dean or students or their immediate supervisor. The administrator will restore order by taking action up to and including contacting local law enforcement authorities of the incident.

The staff member in charge shall make a written report detailing the incident, not later than twenty-four (24) hours from when the incident occurred. A copy of the report shall be given to the staff member's program administrator, either the Principal, Dean of Students or Business Manager.

Reference: COMMUNITY RELATIONS 4313